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ABSTRACT

The proceedings of a two-day conference, part of a continuing series of population symposia, contain the text of the papers presented and a record of the ensuing discussion. The program was designed to examine problems at the level of the family unit, where decisions concerning family size are in fact reached. The legal and religious bases for choice in family limitation, and use of contraceptives by the unmarried, mythological beliefs concerning the American family, differences between sexual and reproductive planning in family and non-family units, and an analysis of the change in family structure and age composition of the population that have resulted from past family planning actions interacting with changes in health care and other social variables are considered in papers presented to the conference. In addition, summary findings and recommendations of the Commission on Population Growth and the American Future are presented in two papers, one presented at the meeting and the other reprinted by permission of the Commission. Notes on speakers and a general reference list are appended. (AL)

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THE FAMILY UNIT

Edited by Alexander R. Doberenz

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THE FAMILY UNIT

Edited by
Alexander R. Doberenz

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held at
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Organized and Edited
by
Alexander R. Doberenz

Foreword by
Edward W. Weidner

The University of Wisconsin-Green Bay

COVER

The cover is a copy of "The Rookery" by Gerson A. Leiber which is part of the UWGB art collection.

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FOREWORD

In 1970, I had the opportunity to testify before the United States House of Representatives Select Subcommittee on Education, in support of the Environmental Education Act of 1970. At that time I made the following statement: "... few, if any of us, can have any accurate concept of the effort, the ingenuity, the determination, and the cost that will be required to translate awareness into effective action in support of environmental quality. To mention a single and extremely troublesome example, there is the problem of population control. If basic changes in our individual and societal attitudes in this area are to be made, we face an educational task that dwarfs anything we have accomplished in the past. The size of the task is amplified by the limited time we have to accomplish it."

My statement of two years ago was neither a cry of doom, nor an optimistic dismissal of reality. What I called for then was a reasoned approach to a serious problem. Today I repeat that call.

The Second Annual Report of the Council on Environmental Quality contains a graph prepared by the Commission on Population Growth and the American Future. The Commission points out the difference between population projection for the United States based on two-child versus three-child families. The projection based on two-child families indicates a likely population of 300 million for the United States in 2021. The projection for a three-child family results in the same population being reached 25 years earlier in 1996, just 24 years from now. Clearly today's decisions on the size of the family unit will have an important effect on America's future.

If the current reproduction rates of American family and nonfamily population units were the result of conscious choice as to family size, our situation would be far more pessimistic than it is. Twenty percent of the children born in the United States each year are unwanted and unplanned for. Much of our continued population growth thus appears to result not from the pursuit of well-reasoned individual goals, but rather from a process of nondecision. Many Americans are aware of the problems of overpopulation as they relate to the nation, the community, and the family. Unfortunately, too few Americans possess the knowledge and resources necessary to implement their population preferences even at the most basic level.

While the early emphasis of the environmental movement seemed to be on the effects of environmental problems, such as overpopulation, on society as a whole and on the global ecosystem, we have now come to appreciate the critically human factors which operate on the individual and family levels. Common in its importance to both societal and individual value and attitude change is the element of conscious choice based on knowledge and information. Without knowledge and information, informed choice becomes impossible. Individuals must be able to recognize and utilize the full range of alternatives before them if they are to serve themselves and society in a better way.

How appropriate then that this series of symposia has been devoted to providing the knowledge of possible alternatives which is necessary to any intelligent choice. And further, how appropriate that the approach in this present meeting has been directed towards the family unit, the ultimate decision level where population choices are made. We have begun to realize that we can determine the shape and future path of our own development. The papers which follow are a significant contribution toward this end.

Edward W. Weidner
Chancellor
University of Wisconsin-Green Bay

PREFACE

This two-day symposium on the subject of population planning in the family unit represents a third major effort of the University of Wisconsin-Green Bay to make clear some of the critical dimensions of the population problem.

The first symposium, held in 1970, was concerned with providing a broad overview of population problems and their many facets. Last year, the conference centered upon the various aspects of family planning programs. Among the topics were social responsibility, human sexuality, contraceptive methods, and communication problems.

This year the focus has been narrowed specifically to the family unit. The program has been designed to further examination of problems at the basic level at which decisions concerning family size are, in fact, reached. Programs at the national level are not slighted in this analysis. Rather, the implicit assumption that ultimate implementation of any population program will depend upon decisions taken at the family level, is recognized. On the basis of available information and its own set of values, each family must determine the implications of its size. We hope the information presented in this volume will help facilitate such decisions.

A.R.D.

ACKNOWLEDGEMENTS

On behalf of the members of the Third Symposium, we wish to express our sincerest thanks to many individuals.

We extend our warmest appreciation to our invited speakers whose contributions constitute the major portion of these proceedings.

For sustained devotion and attention to detail, we are grateful to our secretaries, Betty McDowell and Joanna Berentson.

And to all participants, we express our gratitude for critical discussions which added much to the proceedings.

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SESSION ONE

Thursday, 23 March, Morning

SESSION CHAIRMAN

Dr. Alexander R. Doberenz

SPEAKERS

Dr. John R. Beaton
Dr. Ira L. Reiss
Ms. Nancy F. Wechsler
Prof. John D. Shier

Welcome and Opening Remarks

John R. Beaton

Dean of the Colleges
Professor of Human Biology
University of Wisconsin-Green Bay

Good morning. I am pleased to welcome our participants and our guests. I extend a special welcome to Dr. Ronald Pion who contributed so much to our first symposium and has returned as a contributor to the present one.

As its title states, this is the third symposium on Population Growth held at the University of Wisconsin-Green Bay. There has been a system and a plan for this series of symposia. Our first was concerned with the broad overview of the implications of population growth, and examined aspects such as the population outlook, the leisure explosion, pollution, malnutrition, and the role of the Federal Government and of foundations. In our second symposium held last year, discussions centered upon family planning programs--their successes, their failures, and their potential for the future. In the present symposium, it is intended to consider specifically the family unit--the level at which the meaningful and final decisions are made, and should be made, concerning family size. The organizers of the symposium have recognized that on the basis of available information and its own value judgments, each family reaches its own decision. It is hoped that information exchanged at this symposium will assist each in reaching their decision.

A number of population organizations and conferences have been subject to the criticism that only one viewpoint is expressed or defended. This presupposes that questions of family size and population growth have some clear single answer applicable to everyone. In fact, this is far from the truth and in this series, attempts have been made to provide opportunity for presentation and discussion of all opinions and of all views. This is particularly true of this third symposium--in the choice of contributors, in the scheduling of panels as open forums, and in the invitations sent to a large number of groups with divergent views. We hope that each of you will feel free to ask questions and to express your thoughts in response to the contributed papers.

The organizers have recognized also that the group with perhaps the greatest concern is the young, for it is the young who will determine future family size and will bear any consequences of population growth. In each symposium, there has been student involvement in planning, in evaluation and in panel discussions. This year, there is even greater direct participation; I would note particularly the contributions of Stephen Salyer, Sandra Roth, Don Kovacic, and Dale Goodner--all currently students.

Finally, I would like to comment briefly upon the extent of interest that has developed in these annual symposia. From an initial attendance made up almost exclusively of area residents, we have noted that attendance now has included persons from a number of other states, including Hawaii, Illinois, Michigan, Minnesota, Washington, New York, Pennsylvania and California. Of even greater significance are the number and the sources of requests for proceedings. To date from the first two symposia, 3,000 copies of proceedings have been distributed to most states in the nation and to 14 foreign countries including Canada, England, France, India, Yugoslavia, Germany, Latin American countries and others.

This response indicates considerable credit to the symposium organizers but even more so to the invited contributors. I fully expect that similar or greater response to the present symposium will be observed.

In closing, I hope you will find the next two days to be both informative and productive. I know that your deliberations will benefit us as we continue to develop our programs of instruction, research and community outreach at the University of Wisconsin-Green Bay. To our out-of-town visitors, I extend an invitation to visit our campus while you are in Green Bay. To all of you, I say welcome to our university, welcome to our symposium. I thank you for joining us in this endeavor.

*The Family: Past, Present and Future

Ira L. Reiss, Ph.D.

Director of the Family Study Center
and Professor of Sociology
University of Minnesota

I. Divorce

The monthly reports from the Federal Government indicate that the divorce rate is continuing to rise at a speed that hasn't been equaled since World War I. Except for 1946, divorce rates have not risen more than a total of 30% between 1920 and 1965. But since 1965, the divorce rate has climbed by over 40%! Is this a sign that American marriage is on the way out?

Increasingly, one reads reports of young people's living together without having been legally married. Social scientists report studies of mate exchanges occurring in most of our major urban centers, with the help of commercial clubs and newspaper advertisements. Communal forms of living and communal forms of childrearing are appearing all over the country. Women's liberation groups and zero population growth organizations are promoting the joys of single life as compared with married life.

Since divorce is one of the most frequently cited evidences of marital demise, let us examine it first. All societies have some way in which people can relieve the stress of an unhappy marriage. One way out is by having multiple mates; another, by permitting concubinage. Unhappy women have been told to focus their lives on their children. And, of course, there's been divorce. Divorce enables one to break off completely the unhappy relationship, and so possibly find someone else with whom a relatively happy relationship can be established.

*From Marriage: For and Against, copyright 1971 Hart Publishing Company Inc., New York City. Reprinted with permission of Hart Publishing Co.

California and Iowa have recently allowed for divorce in cases where a marriage is "irretrievable." In these states, the process of having to prove the guilt of one party is not involved. Many other states, too, have eased the requirements for divorce since in today's society, divorce bears but little social stigma. Thus, the rise in the divorce rate may be simply an indicator of how many people are leaving unhappy marriages. Widening the exit doors can dramatically affect this statistic.

Also today, with the stress on self-expression and self-realization, divorce is usually regarded as a perfectly legitimate way to end undue stress. The really interesting statistic would be one that informed us what proportion of all marriages were happy and were meeting the major needs of the persons involved. This proportion could be very low, and divorce could still be very low, if society had other means for resolving marital dissatisfaction.

For example, in Italy the recent debate over allowing divorce led to the revelation of some rather high rates of bigamy. Since divorce was illegal, an unhappy mate would leave and marry someone else. Others would simply live with the new partner in a consensual union and not be legally married.

If one wants to appraise the state of a marraige, the measure of the actual commitment and the needs being fulfilled in that relationship are much more to the point than whether either of the parties has sought divorce. In a tight divorce situation, many unhappy people do not seek divorce. It is likely that the proportion of those today who are happily married is at an all-time high, since those who are dissatisfied with their marriage can so easily leave it.

Since 1930, European countries have increasingly adopted our type of free, open courtship, and our system of marriage for love. Since that time European divorce rates have risen at a much higher rate than our own. The divorce rates in Europe have not reached ours as yet, but the gap is closing. When one marries because he believes that a close emotional relation will continue for many years, then, when the error of that choice is revealed, there is little in the way of parental control, religious control, or a sense of duty that can counteract the drive to seek an end to that union.

In most cases, the divorced person continues the search for a suitable mate; and in fact, divorced people marry at a faster rate than do single people of the same age.

Most second marriages last. Persons who have divorced more than once are a small minority. Only 6% of the marriages in any year involve persons who have been twice divorced. However, second marriages do seem to have a higher rate of divorce than do first marriages.

One of the few studies of couples, living together, was done by Michael Johnson at an Iowa college campus a few years ago.[3] Johnson matched 19 unmarried couples, living together, with 19 married couples. One of the most interesting findings was that most of the unmarried couples, intended someday to get legally married, although not necessarily to the person they were living with. Most of these couples did not view their living together as a substitute for marriage, but rather as a part of a courtship. A common view was that it was hypocritical to take a girl back to her abode after copulating, just so others wouldn't have direct evidence that a sexual affair was occurring. These people generally felt it was simpler and more honest to live with someone with whom one was having an affair. These unmarried couples did not want children. Here again, the evidence was that living together was not a substitute for marriage.

Now, let us assume that the feelings of those Iowa couples were not typical of the norm and that most such couples do not plan to get legally married at any time; but do, in fact, want to have children--then what? Then, could you say that marriage for these couples was a dead institution?

A simple arrangement such as living together is often the way in which a marriage is announced. This is a common way in the Israeli kibbutzim.[4] The simplicity of the arrangement then has no bearing on whether or not it is marriage; what matters is whether there is evidence that the two persons involved are sanctioned as future parents. The findings from Johnson indicate that persons who live together do, indeed, have standards, and do view affection as quite important. I feel certain that incest taboos, age limitations, mental retardation, and other factors also enter into the consideration as to who is an acceptable future parent. Thus, if we did have couples living together who did not want to get legally married but who eventually wanted to have children, then such persons cannot be said to be opposed to marriage. Theirs would be a different type of marriage than the form we have now, but it would still function as the legitimation of parenthood.

I doubt whether such an arrangement will become too popular in America, simply because the legal aspects of life are too complicated for such an arrangement. Even in the Israeli kibbutzim, legal marriages are often performed for legal reasons at the time of the birth of the first child. My guess is that living together before a couple wants children will become increasingly popular, but that legal marriage when the woman becomes pregnant will remain by far the dominant mode.

[3] Johnson, Michael P.: "Courtship and Commitment: A Study of Cohabitation on a University Campus." Master's Thesis, unpublished, University of Iowa, 1969.

[4] Spiro, Melford E.: Kibbutz: Venture in Utopia, Harvard University Press, 1956.

Almost 80% of American 50-year-old white males are living with their first wives, and over half of the black males of the same age are also living with their first wives.[1]

With easy mobility out of marriage, and with more rapid remarriage--half of those who remarry do so in two or three years after their divorce--it seems that divorce underscores the search for marital happiness and is not necessarily a sign that marriage as an institution is disintegrating. Just as broken engagements may be a necessary part of the courtship search process, broken marriages may also be an essential part of the search for marital happiness. While a minority may use the divorce process excessively, most people use it sparingly. Overall then, divorce is not a good index of whether or not marriage is dying; rather divorce may well be a sign of the seriousness with which the members of our society are seeking a good marriage.

II. Living Together

There are those who view marriage as the legitimation of sexual relationships. In our society, most individuals engage in premarital intercourse; and most men also engage in extramarital intercourse. In many other societies, this is even more so the case. Though it is true that sex is prescribed as a part of marriage, sex is easily available in some fashion outside of marriage. So it seems clear that legitimation of sex is not the key function of marriage.

As Malinowski observed many decades ago, marriage has the key function of legitimizing parenthood.[2] Marriage, in effect, is the group's way of sanctioning two or more people as future parents. The same child, born to the same couple but without the sanction of marriage, is an illegitimate child.

If we change marriage to a ceremony with a rock band, or if we hold that the sharing of a room signifies marriage, then we are not eliminating marriage, but rather just changing the form of its consummation. To be called a marriage, there must be more than a sexual relationship; there must be the acceptance of the potential parental role.

A good case in point is the current discussion about "living together" on our college campuses. There always have been college couples who shared apartments; but today, the proportion of students involved appears to have increased considerably.

Two questions must be raised here: First: Is this a form of marriage? Secondly: If not, is this a sign that marriage is dying? The evidence would indicate negative answers.

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[1] Reiss, Ira L.: The Family System in America, Holt, Rinehart and Winston, Inc., 1971.

[2] Malinowski, Bronislaw: The Sexual Life of Savages in Northwestern Melanesia. Harvest Books, 1929.

III. Extramarital Coitus, Swinging and Communal Families

Back in the 1940's, Kinsey found that by age 40 about 50% of the men and 26% of the women had participated in extramarital intercourse.[5] The rates today are probably somewhat higher. What does this imply about the quality of American marriage and its likely future?

The double standard seems present in most areas of male-female interaction. A male is much more likely to cite adultery by his mate as reason for divorce than is a female. However, some trends toward equalitarianism are noticeable.

Both men and women seem able to tolerate their own adultery, but find it much more difficult to tolerate the adultery of their partners. It seems that adultery with a person for whom one does *not* have deep affection is the kind of adultery most tolerated by the one's spouse.[6] This is likely so because such adultery poses less of a threat to a marriage.

Swinging is generally understood as sexual activity involving two or more married couples, where access to each other's mates is mutually agreed upon. Such mate exchange is not unknown outside the Western world. Some of the Eskimo tribes used to while away the long winter months by playing a game called "putting out the lamps," which involved several couples in one shelter putting out the oil lamps and scrambling for a sex partner for the night.[7] The normative expectation today in American swinging is that there be very little emotional involvement between the sex partners, and that they do not see each other, apart from the party occasions. In short, it is an affectionless scene, and thus, very much in line with the greater acceptability of extramarital coitus which lacks affection. Also, swinging integrates with the increased equalitarianism, since it affords the female equal sexual rights with the male. Often, wives report that they were not fully willing when they began; but after some experience, it may be the husband--and not the wife--who becomes disillusioned and wants to stop swinging.[8]

[5] Kinsey, Alfred C., et al.: *Sexual Behavior in the Human Female*, W. B. Saunders and Co., 1953.

[6] Christensen, Harold T.: "A Cross-Cultural Comparison of Attitudes Toward Marital Infidelity," *International Journal of Comparative Sociology* 1962, pp. 124-137.

[7] Reiss, Ira L.: *Premarital Sexual Standards in America*, The Free Press, 1960.

[8] Bartell, Gilbert: "Group Sex Among the Mid-American," *The Journal of Sex Research* May, 1970, 113-130.

Swinging does not integrate well with one feature of our value system: the notion that romantic love should be exclusive and possessive. Romantic love traditionally has had a view that the loved one belonged to you and you alone, and that the sharing of intimate experiences violated the relationship. This is not to say that some kinds of love and swinging cannot mix.

If sex could be treated as casually as one might treat playing golf or watching football, a husband might be willing to share his wife's enjoyment of sex with others, and vice versa. But such a couple would have to reject the possessive view of love.

It does seem to me, however, that when one derives emotional and physical rewards from sexual intercourse with someone, an affectionate relationship frequently develops. This new meaningful relationship means the loss of full sexual priority previously held by one's mate. Further, sexual attraction to another person and the pursuit of pleasure may also reduce the focus of a husband and wife upon each other. Thus, I do not believe that swinging can be easily combined with a "totalistic," romantic love relationship. It may more easily be combined with less possessive relationships.

However, if sex jealously can be removed from the realm of marriage, then swinging may increase overall sexual and emotional satisfactions for both husband and wife. This is possible in a less romantic and more limited type of love relationship.

How likely are certain consequences to occur? In what type of encounter? In what type of marriage? Extramarital coitus is clearly something different for someone married to a handicapped mate, or bogged down in an unhappy marriage, or separated for a long time from his mate than it is for someone who is happily married and living with his mate. Extramarital coitus is different when both partners know what is going on and are agreeable to the arrangement than it is when one partner conceals the fact.

The greater the freedom of expression, the higher the levels of temptation, and the greater the female's interest in sex, the more likely that we'll have higher adultery rates. But--and this is the key question--does this overall cultural change predispose toward unhappier marriages? I don't think so. I think this situation leads to greater openness and honesty and to a greater likelihood of discussion about sexual choices. One result is likely to be more experimenting, but I would guess that the number of significant and rewarding marriage relationships will increase.

Some people have viewed the growth of communal living groups and communal childrearing arrangements as evidence of the demise of marriage. But, as stated above, such arrangements may be part of a system to legitimize certain persons as potential parents. In the Israeli kibbutzim, children are reared communally and do not reside with their parents. But the parents live together, and act out socially accepted husband and wife roles. Thus, marriage does exist. Furthermore, the parental tie to the children is very intense. In many ways, one could describe this society as child-centered, despite the communal upbringing outside of the home. Also, the tie of affection between husband and wife is a highly valued part of their life style. Such communal arrangements are not inimical to marriage.

Bennett Berger's reports on his ongoing study of California communes is very informative.[9] He has limited himself to rural communes that have been in existence for at least six months, and thus his findings may not apply to other communes. He found that although there was verbal tolerance for sexual experimentation, very little went on, and that the married couples were not so tolerant. He also found that the chores, such as cooking, cleaning, and child-care, were typically performed by females, not by males.

Thus, the commune picture that emerges is not one of radical change in marital relations. The radical change seems to be in the attempt to achieve close relations in one household, among a relatively large number of people. This is a departure from the suburban nuclear family ranch house, but in many other ways, it is not a departure from conventional marriage. Perhaps, in time, with a second generation on the commune scene, more radical changes will appear. But even so, it looks as though some form of marriage is well ensconced in the commune setting.

Larry and Joan Constantine have been investigating couples who live in arrangements of polygamous marriage.[10] They have found a few dozen couples who live in a variety of such arrangements. But even in such unions, if they became a way of socially recognizing persons as potential parents, we would still have a marriage system.

Equally important is their finding that such unions were extremely unstable. Jealousy, conflict, loss of interest, and other factors have operated to dissolve such marriages rather quickly.

The complexity of multiple matings, where there are multiple mates of both sexes, can be cross-culturally supported. Polygamy is a very common marriage form around the world. It is almost always in the specific mode of one husband and several wives; only in rare cases is there one wife with several husbands. The logical possibility of several wives and several husbands is found only as an optional practice, and then in only extremely rare instances. It would seem that the complexity of multiple mates of both sexes is simply too much to handle for people in almost all social systems.

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[9] Berger, Bennett, et al.: "Child Rearing Practices of the Communal Family," pp. 509-523 in: Arlene S. Skolnick and Jerome H. Skolnick (eds.) Family in Transition. Little Brown and Co., 1971.

[10] Constantine, Joan and Larry: Where is Marriage Going? The Futurist April, 1970, pp. 44-46.

Also, one must decide what he wants out of a relationship. If one desires a close intimate relationship, then there are limits as to how many people in various roles this can be achieved with. If one is willing to participate in a mechanical, more bureaucratized type of relationship with various people, then greater numbers can be added.

It is difficult for even two people to be able to live together intimately for many years. I would think that it is even more difficult when you increase the number of individuals involved. So I do not think our marriage form will change to any considerable extent in a polygamous direction. Most likely, only a few groups will live in polygamous arrangements. But even if polygamy became widespread, it should be clear that polygamy is a form of marriage, and this would not augur the end of marriage as an institution.

People today are able to act and to talk more as they really feel. Those most likely to be disturbed by extramarital coitus are those least likely to try varied sexual adventures. I view this rise in the openness with which adultery is discussed by married couples as a change that may well aid in the growth of more rational attitudes toward extramarital coitus; it is quite analogous to the development of discussion of legitimate choices in premarital coitus. Both developments are a sign of an increase in the moral choices being made today, and a decrease in the emotional compulsive behavior in the past regarding sex. Greater female permissiveness premaritally increases the supply of extramarital sex partners. In this sense, too, the changes in premarital sex relate to changes in extramarital sex. I do not see the changes in adultery patterns as a sign of the end of marriage, but rather as a growth of rational discussion in an important moral area.

IV. Likely Future Trends

We are in a period of exploration. More ways for people to meet, marry, live, and raise children have been explored in the 1960's than in any other decade of our history. I suspect that this opening of doors has disturbed some people who view our marriage system in a rather narrow way, and that this uneasiness has led to the feeling that marriage is declining in importance, and in time may even cease to exist. I happen to believe that rational exploration of all possibilities is the most promising way of arriving at a style of life that will yield the greatest satisfaction. Perhaps it is those who fear that their particular way will not hold up in such a rational light who oppose the examination of alternatives.

I believe that the 1970's will witness a period in which people will come to know the nature of the various alternatives. Then the choosing will become more routinized.

Enlarging the scope of choice will have the long-run consequence of greater acceptability of variety. Never again can we picture only the two-parent family as the healthy family, or regard divorce as disgraceful, or condemn premarital coitus as disastrous.

We will witness more people who will live together but never marry. We will find more couples who marry but who never have children. We will find more women with small children who work full time. We will encounter fewer unwanted children. And so forth.

The bulk of the people will likely choose to marry, to have children, and to live in nuclear family households. But those who choose to marry and not have children, and those who live in communal households will also find social acceptance.

I do not see full equality of the sexes within the next few decades, although dramatic changes in that direction will occur. The men who most favor equality for women are career men who would not often take the time to share fully in the childrearing and household tasks. The lower class men and women who have less career orientation are less equalitarian. Nevertheless, strong inroads will be made toward more equality of the sexes. Yet in the year 2000, I believe there will still be many more women than men in the home taking care of small children. However, we will also have many more women in all walks of life than ever before; and our social productivity will show the worth of this change.[11]

Perhaps, in conclusion, I should note some of the risks involved in the new life styles. The major risk in opening up choice is error in choice. When choices open up, one must carefully consider priorities. The older restricted system exacted a price: it placed a person in a mold which did not enable him to choose a life style that would allow maximum self-growth and social contribution. The current, more open system runs the risk of one's acting impulsively. Such precipitate action might destroy aspects of life of higher priority. For example, one may impulsively get involved in a sexual encounter, and thereby cause a break in a meaningful relationship; or one may hastily get involved in divorce proceedings, and thereby avoid facing up to faults in oneself. Thus, the price of a more open system is the greater need for a rational examination of the alternatives.

The old system had many people trapped in a rut; the new one may have many people constantly running from one style of life to another, unable to choose wisely.

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[11] Thompson, Mary Lou (ed.): Voices of the New Feminism. Beacon Press, 1970.

The advantage of the new system is that it affords the greater opportunity for finding oneself. Marriage in the new society can be a most exciting relationship, but it will remain a relationship that needs constant reflective attention. This generation of young people is being given a range of choices far beyond that given to any other generation, but such a choice demands that the young exercise a maturity beyond that of previous generations.[12]

New demands now also fall on older married couples, as they come to be influenced by the changing social setting. It is an exciting time both for the participants and for sociologists like myself who have the opportunity to study this new dynamic social context of marriage.

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[12] Reiss, Ira L.: The Social Context of Premarital Sexual Permissiveness, Holt, Rinehart and Winston, Inc., 1967.

DISCUSSION

Question: Did Bartell's study of swinging also find that the swingers felt their marriages strengthened?

Answer: That's kind of a universal finding. Most swingers will say that the couple that swings together stays together. Now I think the important question from a social scientific point of view is: is that more than a belief, is it indeed the case? We don't know that, because none of these studies have been longitudinal where they've followed them over time and seen what actually happens. My own feeling would be that the kind of marriage that will get involved in a swinging encounter is the kind of marriage where the relation is segmented. In other words, it is not total relation between the two people and it is likely that the emphasis in the marriage is heavily on pleasure. Now given that kind of marriage where the couple interacts mainly on one or two key areas and where pleasures are important, then it seems to me it may well be empirically true that, for those people getting involved in swinging may lead to more marital satisfaction. Typically they say they learn new techniques and they come home and enhance their own sexual lives. The body centered aspect of swinging makes their marriage seem better in comparison. I think that might well happen. I think where it wouldn't happen is where you have a couple that have a "total" relationship, where they have an ideal kind of marriage, then I think you'd have problems because I don't think they could accept the sharing of mates as easily.

Question: What studies are there on childrearing in the past, present and future?

Answer: I touched on that a little bit in commenting that childrearing has a negative impact on marital satisfaction. There are also studies (Mel Kohen's study which is a rather good one) done on the effect of the husband's occupation on the kind of values inculcated to their children. White collar people inculcate values of self-reliance; blue collar people place more value on obedience and I think that's terribly important because what it means is that since the better paying jobs are the jobs that require self-reliance, it means that the class system is perpetuating itself by lower class people bringing up their children so they cannot perform at better paying jobs. Then if we look at men and women, you have a very similar kind of thing with women typically being brought up with high value on obedience and nurturance; men with higher values on self-reliance and independence. And again, even if all the doors of opportunity are open, you're not going to get women to equal men as long as they are reared with values that don't prepare them for the kind of work that the culture values. I think that's an important area. Maybe on the panel we can get into that.

Question: In respect to multiple marriage communes, has that seemed to increase lately at all or is it just getting more into the open?

Answer: When you say Multi-marriage communes, do you mean monogamous sexually or not? (Not monogamous.) Well, Larry and Joan Constantine are a couple in Massachusetts that are studying multi-lateral marriages which are marriages that are not monogamous sexually and involve three or more people, each one of whom is in affectionate relation with the other. They have only been able to find about twenty such marriages and my student in Iowa is one. There are not very many such marriages that last. Now there may be couples that try this and that do it for maybe a couple of weeks or even a couple of months but they're looking for couples that have done this six months or longer and they haven't found in the whole country very many people that will fit this category. Let me put it this way, cross culturally, no society in the world has a dominant form of marriage involving multiple mates on both sides and I think that is predominately because of the difficulty of having multiple mates on both sides. In fact, even when there are multiple mates on one side, like a husband and three wives or a wife and three husbands, it's highly structured. In African polygyny, for instance, if you have seven wives, you'd sleep with each wife on a separate night of the week and if you slept with wife "one"on night "two," you've committed adultery. And it's looked upon the same way as adultery would be in America. Wives live in separate huts, and they rear their own children. The first wife is a love match and she helps pick the others. Marriages typically are not focused on sexual play, or pleasure. They are typically involved with economic and childbearing goals of the particular group and the fact that you don't find any society with multiple mates on both sides (except for a few very rare couples) indicates to me that that probably is an extremely difficult form to work. I think communes of a monogamous sort are going to grow. I don't think the non-monogamous kind of commune will grow.

Fertility Control and the Minor

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In considering the topic I have been assigned--Fertility Control and the Minor--the frame of reference must be the needs of young people of here and now. Sexual maturity has never been relevantly related to legal concepts of minority. Today dominant cultural forces and early physical maturity combine to create sexual awareness and sexual activity among the young at increasingly earlier ages. Sexual activity of young people who have not reached legal majority is undoubtedly more common than was the case generations ago, when many of our laws governing young people were enacted. Indeed, among large sectors of youth sexual activity during adolescence and before marriage is now an accepted pattern of behavior.

The pressing need for effective fertility control for young people is obvious. The urgency of that need is underscored by the fact that, according to the most recent statistics of which I am aware, the level of illegitimacy among young people has been rising quite dramatically. One need not dwell upon the damage of these illegitimate births to young people --male and female alike--and to society. Nor is it necessary to remind this group of the health hazards of pregnancy to teenage girls or of the health risks faced by their illegitimate children.

Thus, it is clear that minors need information about sex, reproduction and contraception, that they need access to effective birth control service and often they need access to safe medical abortions.

Yet, partly because educational and other institutions have failed to respond to the need, partly because of the impact of rigid and outmoded legal concepts, we have not yet met these needs.

We certainly have not given our children the basic information they should have about sex and fertility. Not long ago I heard an expert on sex education compare a typical American sex education course to a driver's education class where children about to qualify for a license are carefully instructed by a description of a hub cap and a gear shift and a rear view mirror--period. Moreover, it was pointed out, after the course was over a child's parent was apt to buy him or her a shiny new sportscar, saying "this is yours--and I am going to keep the key so that you can use it to drive the car as soon as you are 21."

Last December Dr. Morris Fishbein pointed out in an editorial in Medical World News,"In a world where the taboos have been largely lifted from the subject of sex many people might assume that adolescents are immensely better informed on sexual subjects--including contraception and prevention of disease--than were previous generations. Alas, the problems of unwanted pregnancies and venereal infections continue to be widespread and destructive."

We have to deal with the need for honest and sensitive sex education in the schools and we have to recognize that adequate sex education includes information about contraception, not only information about human physiology. There are still obstacles to achieving that objective, not only in the resistance of organized pressure groups, but also in the continued presence in the laws of some states, and even in some aspects of federal law, of provisions which tend to inhibit freedom of educators and parents to inform children and young people in this area.

Until recently the Federal Comstock Law, and the law of a number of states, purported to forbid dissemination of information about contraceptives. The federal law and most such state laws have been repealed. Today there is only a handful of states (e.g., Massachusetts, Indiana) which retain such total prohibitions. However, the laws of many states as well as the federal government still forbid dissemination of information about the availability of abortion, although legal abortion is available in many states under a variety of conditions.

I believe that laws of this character are unconstitutional under the decisions of the United States Supreme Court interpreting the First Amendment to the Constitution, but until they have all either been repealed or invalidated their presence continues to have an inhibiting effect on freedom of information about contraception and abortion. A series of Supreme Court cases in recent years has established that suppression of material relating to sex (unless legally obscene) is no more constitutionally permissible than censorship of material relating to politics. The Court so held in 1960 in Roth v. United States. That this is applicable to information about contraception is also plain from the 1965 case, Griswold v. Connecticut, which established a constitutional right to use contraceptives and specifically recognized the constitutional right to obtain information about contraception. This question was the subject of a similar ruling in 1970, when the Supreme Court Judicial Court of Massachusetts held unconstitutional the Massachusetts law which prohibited exhibition or circulation of written information about contraception other than to married people and other than by public health agencies, registered nurses or maternity clinics. In that case William Baird, a crusader against restrictive birth control laws, had made a speech about birth control to an audience of students at a Boston college, and had discussed and displayed examples of birth control devices. He was charged with violating the Massachusetts prohibition on information about contraceptives, but the Massachusetts Court held that his lecture and the exhibition of contraceptives was protected under the First Amendment. That was a refreshing change from the decision of the same court in 1917, in Commonwealth v. Allison, where the court sustained a criminal conviction for distributing two pamphlets--one called "Why and How the Poor Should not Have Many Children" and the other called "Don't Have Undesired Children" on the ground that "the details which are set forth in these pamphlets plainly would have warranted a jury in finding that they promote wantonness, notwithstanding the contention of the defendant that they are statements of scientific facts." Equally enlightened was the view of a New York court the same year which upheld the conviction of Margaret Sanger's sister, Edith Byrne, for distributing a pamphlet called "What Every Girl Should Know" when it said -

> "...the defendant disseminated literature dealing with the question of contraception and setting forth various ways and means by which it could be prevented. One of these pamphlets is labeled 'What Every Girl Should Know.' This contains matters which not only should not be known by every girl, but perhaps should not be known by any. The distribution of these pamphlets, especially to girls just coming into womanhood, would be a disgrace to the community."

So we have come a long way, and it is quite clear, where the rights of the general public are concerned, that there is constitutional freedom to distribute information about sex, contraception and legal abortion. And there have been only sporadic and occasional efforts in recent years to enforce these laws against distribution of information.

The problem of relaying such information to young people still exists, in part because of a variety of restrictive laws relating to minors, and in part because it has not yet been definitively established that minors enjoy rights of access to information parallel to the rights of adults. However, the Supreme Court's recognition of the First Amendment rights of children in the Tinker case suggests that the courts will not treat minors as non-persons in this area. In the Tinker case children had been dismissed from a public school because they wore black armbands to school as a protest against the war in Vietnam. The Court held that children enjoyed rights under the First Amendment which could not be curtailed by the school authorities, saying "Students in school as well as out of school are 'persons' under our Constitution.... (they) are entitled to freedom of expression of their views." It seems reasonable to anticipate court decisions to the effect that, given the constitutional right of children to express opinions, they must also have the constitutional right of access to information on the basis of which opinions are formed and indeed, this is the clear implication of many precedents dealing with First Amendment rights.

Nevertheless there are legislative restrictions which directly impinge on the rights of children to receive adequate information about sex and contraception. Here is the example of the State of Michigan. That state has one law which requires the public schools to maintain courses in health education. It has another law which permits schools to teach sex education, but forbids the schools to teach the children about birth control. And the State's Attorney General has recently ruled that, while it is the policy of the state to encourage and provide for sex education in the schools, and classes may include such "family planning" information as "the social economic and physiological implication of various sized family units, effects of population growth upon our natural resources" etc., "specific instruction in birth control" is forbidden.

California adopted a law in 1969 to the effect that no school child may be required "to attend any class in which human reproductive organs and their function and processes are described, illustrated or discussed." It is not unlikely that, in other places, laws relating to obscenity, mailing of "sexually oriented" material, impairing the morals of minors, or contributing to the delinquency of minors are the basis either for fear on the part of those who want to provide complete information to young people or rationalization for inaction on the part of others.

The federal government, and all states (except I believe New Mexico) forbid dissemination of "obscene" materials. Some states, like New York, Massachusetts, and Wisconsin have adopted laws addressed specifically to protecting minors from "obscenity." The Supreme Court has indicated that the definition of what is obscene for the general public may not be the same as the definition of what is "obscene" for minors, and in the case of Ginsberg v. New York, in 1968, the Supreme Court upheld the constitutionality of the New York law which prohibits sale to minors under the age of 17 of material which, among other things, depicts nudity or sexual conduct, or contains detailed description of sexual conduct which, taken as a whole, is "harmful" to minors. However, in none of its decisions has the Supreme Court indicated in what respect sexually oriented material which is not obscene for the general public may constitutionally be forbidden minors, and it boggles the mind to attempt to determine what is meant by the tortured language of these laws. I believe it is a fair assumption that in the long run the courts will not sanction use of these special obscenity laws relating to minors as a vehicle for forbidding sex education. I believe that the courts will decline to regard education in the facts of sexuality, including the facts relating to contraception and abortion as "obscene." This is the clear implication of the Baird case, which I have mentioned, as well as a recent Kansas case in which the court declined to prevent school authorities from conducting a course in sex education in the public schools.

But these laws cast a cloud over the permissible content of sex education and leave obscure the right of educators to include explicit descriptive material in sex education courses. Wisconsin's special obscenity law for minors is similar to the New York law I have mentioned.

As many of you know, a case related to this law was decided in February of this year by Judge Reynolds in the Federal District Court sitting in Milwaukee. The case arose out of the plans of the Unitarian Church in Brookfield, a suburb of Milwaukee, to conduct a sex education course as part of its Sunday School program for eighth grade children.

The course was developed, after many months of study and pretesting by a team of specialists working on behalf of the Unitarian-Universalist Association. Called "About Your Sexuality," the course consists of a variety of printed, visual and audio-visual materials designed to help answer the students' questions about sexuality. Much of the material was developed as a result of actually teaching sex education to students in UUA Sunday schools and grew out of questions and needs expressed by the students.

The course is not a structured linear curriculum, but rather consists of a variety of materials grouped in units addressed to particular areas of inquiry. Included in some units are pictures of actual human hetero- and homosexual activity. The idea is to teach it like it is.

Whether these parts of the curriculum will be presented to any class depends on the interests of that class, whose members participate in the course only with the approval of their parents. The parents are first made fully aware of the contents of the materials.

Thus, in all instances, the explicit material on actual sex activity is presented (if at all) as a result of the parents' decision that they want their child to be in the course.

In Brookfield, after it became publicly known that the course would be offered at the local Unitarian Church Sunday School, the District Attorney wrote to the pastor of the Church, stating that he had received complaints from citizens of the community, and asking to be shown the materials so that he could establish "ground rules" to be followed under the obscenity laws of Wisconsin. The District Attorney indicated in his letter, as well as in a subsequent meeting with representatives of the Church, that failure to comply with his request might result in criminal prosecution. The Church refused to submit to censorship by the District Attorney. Instead the Church, parents whose children were enrolled in the course and a child enrolled in the course asserting rights, under the 1st, 14th and 9th Amendments to the Constitution brought a lawsuit in the federal district court to enjoin the District Attorney from interfering with presentation of the course. Judge Reynolds upheld their constitutional rights. He held that, while the state has a "national" interest in preventing obscenity, "it is equally clear that this national interest does not empower the state to interfere with protected constitutional rights in its quest to stamp out obscenity."

Judge Reynolds pointed out that "in this case parents wish to educate their children in the facts of life within a proper ethical, moral and religious context. . ."; he held that there was a substantial likelihood that the district attorney's interest with regard to "About Your Sexuality" lacked either a compelling quality or overriding significance in light of the parental right and duty to educate their children. He also ruled that there was a strong probability that "About Your Sexuality" could not be considered obscene under the standards of the Supreme Court which make clear that discussion and description of sex, "one of the vital problems of human interest and public concern," is protected by the First Amendment. A few days before Judge Reynolds' decision, the district attorneys in an East Coast community made a similar request of another UUA Church to review the material. He seems to have subsided. This decision, and the decision of the Massachusetts Court in the Baird case are encouraging and should help efforts to improve sex education--not only in schools and churches, but also in social agencies, health centers and the like. Yet, there are legal weapons available to the forces of censorship and the battle is not over. In addition to the obscenity laws, the laws governing information about abortion and the remnants of law on information about contraception, there is a mini-arsenal of law which can be called upon. Some states forbid display or advertising of contraceptives or prophylactics to the general public. There are about 14 such states (including Wisconsin). Most of these laws sound as if they only affect commercial display or advertising--which is retrogressive enough, in light of the need to increase information--particularly in the fight against VD, where the highest rate of incidence appears to be among young people. Laws like this can, however, be distorted to attack exhibition of examples of contraceptives and even to attack informative written material. So far, wherever that has been tried, the courts--in Arizona, New Jersey and, as we have seen, in Massachusetts, have rebuffed those attempts at suppression.

In addition, as I have mentioned, most states have laws punishing those who "contribute to delinquency" of minors, or "impair the morals" of minors, or "endanger the welfare of minors." Timid souls, among whom some educators might be classified, may be deterred by fear of being charged under those vague concepts. We must remind them that delinquency and immorality are not caused by knowledge, and that under our constitutional principles, unwanted behavior cannot be prevented by quarantining the full exchange of ideas. A few years ago, an Ohio judge convicted a mother of contributing to the delinquency of a minor because she advised her 14-year-old daughter (who was pregnant with her third illegitimate child) to see to it that her boyfriend used a contraceptive. The appellate court in Ohio set this barbarous conviction aside, ruling that the mother had the right, under the First Amendment, to advise her daughter on this subject. I should also point out that I know of no case in which a professional person has been convicted for educating minors about sex under these laws.

There are also some federal laws which have some utility for attempting to harass those trying to educate young people. One forbids use of the mails for sending "unsolicited" information about contraception. Another permits parents to prevent anyone from offering to sell by mail to a child under 19 anything the parent (in his absolute discretion) deems undesirable. One parent tried to invoke that law to stop her child from receiving information about sterilization which the child had requested for a term paper in physiology. Other people have tried to stop appeals for funds by organizations devoted to expanding sex education. Another federal law forbids mailing "sexually oriented" material, defined in utterly opaque language, without labelling the envelope "sexually oriented material." The validity of that law is currently being tested in the courts.

This recital of potential legal booby traps is not intended to suggest that the barriers to better education about sex and fertility are insurmountable--or even that they are really formidable since the courts are still sitting and the First Amendment is still there. However, these laws exist and must be reckoned with.

Now I should turn to the question of the extent to which fertility control services are available to minors. At the outset it should be noted that in those states (around a third of all states) which have laws specifically regulating the provision of contraceptive services, the general pattern is to be silent with respect to provision of service to minors. One exception to this is the law of New York which forbids the sale of contraceptives by pharmacies to minors under 16, but does not control the practice of physicians. Also, as you know, the law of Wisconsin forbids distribution of contraceptives to unmarried persons and thus effectively excludes most minors and the law of Massachusetts is similar to that of Wisconsin. The Massachusetts law has been held unconstitutional by the Federal Court of Appeals for the First Circuit in the case of Baird v. Eisenstadt. The Court ruled that there was no valid health reason for keeping contraceptive service from unmarried people and that a law so providing is arbitrary and discriminatory. The state of Massachusetts has appealed this decision to the United States Supreme Court which has not yet issued a decision on the matter.

For the most part, however, the question of whether minors can legally obtain contraceptive services must be answered by reference to provisions of state law generally affecting minors and their capacity to obtain medical services.

The crucial need for birth control services for young people is being recognized more and more in the medical and allied profession and by the general public. Within the last few years a number of states have adopted special legislation designed to facilitate the availability of medical service to minors, some of which is geared specifically to contraception and some more generally to the overall medical needs of minors. Public health organizations, including the American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics and the American Academy of Family Physicians, have gone on record as favoring making contraceptive services available to minors. This is also the philosophy of organizations like Planned Parenthood World Population.

Nevertheless, these forward-looking proposals have not yet been universally adopted. There are still obstacles to provision of adequate service which meet the need and, regrettably, some doctors and some medical institutions are reluctant to make contraceptive services available to minors in situations where the consent of parents has not been obtained.

Before discussing the basis for this reluctance and the specifics of the new laws reflecting the progress which is being made in this area, it should be pointed out that minority is not uniformly defined throughout the United States. In most states and, I understand, in Wisconsin the age of majority is 21. However, some states, even before the 26th Amendment, had fixed the age of majority lower and in some states the age of majority for women is lower than it is for men. Since the adoption of the 26th Amendment extending the right to vote in all elections to persons who have reached their 18th birthday, states are beginning to lower the age of majority to 18 and I believe that this trend is bound to continue.

Yet the anachronism persists in many states that young people, old enough to vote, old enough to participate in war and thus to conduct themselves as adults in matters of the utmost gravity, are still deemed incapable of making decisions about their property or their person. The law in many states affecting the rights or disabilities of minors is illogical and inconsistent even to the extent that it is clear. Thus, in my own state of New York, the age of majority is 21, the age of capacity to marry is 18, as is the age of capacity to make a will. The age of consent to sexual relations within the meaning of the law of statutory rape is 17 and the age at which a minor can buy a contraceptive in a drugstore is 16. The municipal hospitals of New York City consider that a minor of 17 or older is capable of consenting to an abortion and that even younger minors are capable of such consent but some private voluntary hospitals in New York City claim that no one under 21 can consent to such a procedure without the consent of a parent or guardian.

The basic reason for the confusion and the reluctance of some to provide these services is an old rule of the commonlaw to the effect that a minor by virtue of his or her age is incapable of effectively consenting to medical examination. Since as a general matter of law medical treatment without the consent of the patient constitutes what is called a civil assault, if a minor is incapable of such consent then the doctor can be charged with civil assult if he treats the minor without the consent of a parent or guardian. This rule is the crux of the problem.

Except where that old commonlaw rule has been abrogated by statute, it is probably in effect. However, it is a rule to which there have always been exceptions and which modern courts do not tend to enforce in situations where it is reasonable to assume that the minor is mature enough to be capable of consenting to a medical service which is for his or her benefit.

A person under the legal age of majority can be "emancipated" from the status of being a minor. This is universally recognized. The usual way in which a minor is emancipated is for the minor to get married but there are also other situations in which a minor is considered to be emancipated and therefore able to conduct himself as an adult. The specific requirements for this vary from one state to another, but generally a minor will be deemed emancipated if he lives apart from his parents, is self-supporting and controls his own life. Even a minor who does not live apart from home is sometimes considered to be emancipated if he earns his own living and is responsible for his own decisions.

Of course it goes without saying that medical service can be given to minors in emergency situations without the consent of a parent and it may well be that in specific instances the condition of being pregnant will be considered such an emergency. However, the courts have not tended to great liberality in the interpretation of an emergency so that reliance on this concept as a basis for providing medical contraceptive services is not a very strong basis for moving forward.

The most significant judicially recognized exception to the old commonlaw rule is the emerging doctrine of the mature minor. In a number of cases courts have decided that an unemancipated minor "of sufficient intelligence to understand and appreciate the consequences of the proposed surgical or medical treatment may effectively consent." The language I have quoted is taken from a statute adopted in Mississippi which codified the "mature minor rule." That rule has been specifically adopted by courts in such states as Kansas, Michigan and Washington. Courts in a number of other states including New York, have indicated that this doctrine will be applied. And obviously it would make sense to apply this principle in the instance of sexually active minors, since most young people old enough to engage in sexual relations are capable of comprehending the nature of medical contraception, the need is patent, and this is clearly a situation in which a rule requiring parental consent is likely to result in no service, leading directly to the birth of illegitimate children.

It should be of some interest that those of us who try to keep abreast of the law in this field have found no reported cases in which a physician has been found liable for civil assault for providing medical service to a minor younger than fifteen, and no case at all in which a doctor has been charged with civil assault for prescribing a contraceptive for a minor.

Many social and health agencies and more and more colleges are putting the mature minor doctrine into practice through clinics where young people are getting contraceptive service. In my city, New York, hospitals are doing this through their adolescent service; Planned Parenthood of New York City is concentrating on providing contraceptive service for young people. The college I attended in a by-gone time considered the very idea of even teaching college girls about contraception revolutionary, and indeed the elderly spinster medical director of the school had to be educated in the subject by the married girls enrolled there at the time. Today this school routinely provides contraceptive service for its students, and a gynecologist makes visits to the campus on a regular basis. In fact there has been a breakthrough on this front in many places. Yet some doctors and hospitals continue to be fearful of liability for providing sexually active young people with adequate contraceptive service; and it seems likely that sexually active young people in many areas of this country are not receiving the protection they need.

Fortunately, in the last few years law makers have begun to recognize the dimension of these problems, and we are now seeing enactment of legislation in more and more states as a result of which it will be possible to get contraceptive service to many young people who need it. Legislation looking in this direction has now been adopted in a number of states. Seven states and the District of Columbia have passed laws which in specific terms provide that most minors may effectively consent to medical treatment for contraception without parental consent. A number of other states have significantly reduced the use of "consent" for medical treatment in general and there seem to be about twenty of these according to my latest information (the law is changing so rapidly it is hard to keep an accurate count). In addition there are states which have adopted comprehensive programs providing family planning service. Some of these clearly provide for such service to minors without parental consent; others are susceptible of being implemented to provide such service.

Let me give you a few examples of these new laws. Virginia and Maryland law now provides that any person, regardless of age, may consent to medical service for birth control, pregnancy or family planning. California has a similar law allowing birth control service for minors on welfare. For the more affluent California is not quite so liberal, but it does permit a minor who is living away from home (no matter for how long) and managing his or her own finances (regardless of the source of the money) to consent to medical care. This is generally referred to as the college girl law, and it has been copied more or less in Minnesota. Some states--Tennessee and Colorado are examples--permit a doctor to give birth control service to any minor who has been referred for such services by another doctor, a family planning clinic, a clergyman, an institution of higher learning or any state agency. Other states, such as Illinois, have adopted a similar rule. Still other states--Pennsylvania for one--permit doctors to treat minors without parental intervention where an attempt to contact parents could cause delay which would increase the risk to the minor's health, and laws of this kind can be (and often are) construed to permit treatment for contraception, since the risk of pregnancy is a risk to the minor's health in many situations.

Not all such laws apply to minors of all ages. The California "college girl" law I have referred to affects minors 15 and over. Some of the laws permitting minors to consent to all types of medical care apply only to older minors--over 15, or over 18. Thus, in Oregon a minor 15 years or older may consent to any medical care--except abortion. Alabama sets the age at 14.

Some states limit the service available to minors without the consent of parents to services "relating to pregnancy." This may or may not justify medical treatment to prevent pregnancy. I do not know of any court rulings on this point, although as I will mention later, in California the courts have ruled that such a law permits a minor to consent to an abortion.

And, of course, there are many states which have adopted the "one baby" rule--a minor who is a parent may consent to medical care. In some places this applies also to a minor "who has been pregnant." This is also an approach taken by some social welfare agencies, but it is hardly a solution to the problem of protecting minors from illegitimacy.

Before leaving the subject of state laws relating to medical care for minors, I should also note that by a considerable majority (well over 40 as of now) the states permit medical treatment for venereal disease without parental consent, this even while in some states it is still illegal to advertise or display prophylactics, and in a good number of states it is illegal to sell prophylactics by use of vending machines. The philosophy behind those laws appears to be that reflected in the opinion of a New York court handed down fifty-four years ago, when the court said

> "A statute making it a crime to advertise of the treatment or cure of venereal diseases has been held to be a valid exercise of the police power of the state, as it is against public policy to advertise that such diseases can be easily and cheaply cured. It has a decided tendency to minimize unduly the disastrous consequences of indulging in dissolute action."

But the legislative trend today is positive; the trend seems to be accelerating. It may well be that these forward looking rules will be adopted throughout the country before long. Certainly the new federal programs encouraging and establishing family planning programs will continue to provide impetus for continued liberalization of the out-moded doctrines of the past.

While substantial progress is thus being made in getting contraceptive service to sexually active minors, the availability of abortions for girls who have become pregnant is, of course, severely limited. It is limited in the first instance by the general law governing abortion. In a majority of states there has not yet been any legislative change in the laws forbidding abortion except to preserve the life of the mother. Some states--about a dozen--have reformed their abortion laws in accordance with the American Law Institute proposals, so that abortion is permissible to preserve the mother's health, as well as her life, and mental as well as physical health is accepted, I believe, under the language of most of these abortion reform laws. Moreover, the United States Supreme Court, in a recent ruling interpreting the word "health" in the law of the District of Columbia, has indicated that "health" means mental health as well as physical health. Certainly many pregnant teenagers should be eligible for abortions under the standards now operative in the reform states. Minors are clearly eligible for abortions in the four "repeal" states, of which New York is the outstanding example, permitting abortion on consent up to the twenty-fourth week of pregnancy, and with no requirement of residency in the state (a fact which distinguishes the New York repeal law from that of Hawaii).

As we have seen, a number of states recognize a minor's right to consent to medical treatment relating to pregnancy. The only court decision I know of dealing with whether such a law permits a minor to consent to an abortion was the California case in which it was held that treatment related to pregnancy includes a medical abortion. However, some state laws declaring minors rights to consent to medical treatment specifically exclude abortion. Thus in Hawaii, where abortion is available without restriction, and minors can consent to medical treatment "for pregnancy" a minor may not consent to an abortion on her own.

Many lawsuits have been instituted challenging the constitutional validity of any restriction on the right of women to obtain an abortion. The basic attack on the restrictive abortion laws maintains that women have a constitutional right to privacy to determine whether to bear a child. That position has been adopted by courts in California, New Jersey, Illinois, Georgia and Texas, and it has been rejected by courts in North Carolina and Louisiana. The issue has been presented to the United States Supreme Court, but it is possible that the cases now pending in the Supreme Court will not be decided on the merits. In the meantime it is unclear whether courts which recognize a woman's constitutional right to obtain an abortion will extend that right to minors. Certainly the concept of the "mature minor" which by definition accepts the reality of a minor's ability to make decisions about his or her well-being should apply to the decisions with which a pregnant adolescent is faced. The municipal hospitals in New York City are operating on that principle. And I might note here that since New York repealed its old abortion law there has been a marked decrease in infant mortality and a dramatic decrease in the incidence of hospitalization on account of incomplete or bungled illegal abortions.

In this connection I want to emphasize that there is no disposition on my part to advocate ousting parents from decisions affecting the health of their children. But adolescents who are sexually involved are not prone to consult their parents about these problems. If they cannot get help from the medical profession and the health agencies they are only too likely to have illegitimate children or turn to quacks and backroom abortionists. Those are not risks which should be considered acceptable.

The Myths of the American Family

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This paper, like this symposium, is a product of the realization that it is no longer possible to reasonably ignore one of the most pressing questions of our time - what is to become of the institution of the family in American society? *Please be assured, though, that even* as a philosopher, I am not going to attempt to answer this question in the next forty-five minutes. From all sides we hear conflicting advice. Some people are calling for a renewal of respect for the family - a respect which has somehow been lost in the confusions of the modern world. Others insist that the institution of the family, as well as that of marriage, has outlived its utility and must be replaced by one or more of a variety of alternative models. These models may range from the kibbutz or the "One Way" commune to the most casual and temporary of relations between any number of persons, of whatever sex, who happen to find such relations pleasurable or "meaningful."

In counterpoint to these views we hear a litany of the voices of doom citing statistics on growing numbers of illegitimate births, abortions, unwanted pregnancies, divorces, and assorted kinds of individual breakdown; all relating directly or indirectly to the institution of the family. We hear that overpopulation is perhaps mankind's greatest threat and that the freedom to procreate may someday soon be denied in the name of corporate survival. We see parents fighting for their rights to determine the morals of their children and to keep them out of integrated schools. We see children mounting the yellow buses which have become symbols, not of equal educational opportunity but of the oppressive power of government over the rights of parents and families. We see the life of the individual being increasingly directed by laws and regulations designed to maintain basic levels of order in a society which is becoming increasingly congested and complex.

Where can one take a stand in this dissonant deluge of data? Does Linus perhaps give the only answer when he says to Charlie Brown, "It doesn't matter what you believe, Charlie Brown, as long as you're sincere."

On the one hand we are certain that something is drastically wrong. It is because of this conviction that we hold symposia such as this. On the other hand we find these problems strangely resistant to our best efforts at solution. This is especially frustrating to a people grown used to solving the most complex of problems with just the right application of computers and machines. The problems of sending men to the moon and returning them are easier to solve than those of getting all our children to the right schools or of deciding what to do with them while mother works.

The thesis to be argued here is that we are missing an important consideration in understanding the nature of the problems of the family and thus in finding ways to their solution. Specifically, we have either attempted to solve these problems in the belief that they have arisen from relatively simple and temporary maladjustments of the nuts and bolts which hold together the structure of society. In this belief we have thought of their resolution in terms of a return to the life-style of a bygone day when the family was indeed the primary institution of society. Alternatively, we have sought their resolution through greater applications of the very same technologies which have, directly or indirectly, created the present crisis.

Changes in the fields of medicine, transportation, production, education and other areas have substantially altered the context in which the family traditionally has functioned. But it is to these technologies that we are often tempted to turn in order to bring the family itself into the Twentieth century. In doing this, however, we have found that our manipulations have had the unfortunate consequence of multiplying problems rather than solving them. Being piecemeal in nature, they have had the effect of, at best, resolving one problem only to create new problems at some different locus.

Advances in medicine have created the growing problems of the elderly. The family today is often faced with the economic and sometimes personally crushing burden of caring for its elderly members - those who have been granted additional years of life by modern medicine. But these are often years of massive medical expense and increasing disintegration of the personalities of the elderly. The obligation to care for one's parents and relatives in this case, runs, often with disasterous results, counter to the obligation to care for one's children with both money and attention; to provide them with education and a start in life. Like the ripples sent out from a rock dropped in a pond, the consequences of this aspect alone of new medical technologies spread across the entire surface of family life.

Again, the development and availability of new medical technologies has brought about the continued existence of many who, because of birth defects or injury would never have survived at an earlier time in history. These developments, too, place stresses on the family's integrity; stresses with which it is increasingly unable to cope. Beyond all of this, the growth of medical technology has contributed substantially to the rapid growth of population with all of its attendant effects on traditional social and family structures.

Developments in the areas of production and transportation have necessitated a highly mobile society where the family, once conceived as a gathering of parents, children, aunts, uncles, cousins and grandparents is no longer typical. This, too, has resulted in a variety of stresses being placed on the family unit - stresses with which it has never before had to deal. No longer, for instance, is there an immediately available source of help in time of trouble - help which is asked for and volunteered in the closeness of the family relation rather than through professional agencies.

The institution of compulsory and universal state supported education has implications for the traditional family unit which alone have been the subject of thousands of volumes. And today this injection of "outside" influences into the family is magnified greatly by the presence of the one-eyed genii, television, in almost every home. Though the kind and extent of impact television has had on the family is still subject to debate, there can be little question but that it has been substantial and probably divisive rather than unifying.

In the case of those who would answer the problems which concern us here by calling for a return to the past, it is manifestly impossible for everyone to simply "go back." There are too many of us for that and these numbers have increased the level of mutual interdependence to such a point that the isolation of rural or even of small-town life is not a realistic possibility for the majority of American citizens.

What, then, is required? The first point to be noted is that our answers have, by and large, failed to solve the problems because we have not yet arrived at adequate statements of what the problems are: we have been answering the wrong questions. We have tried to fit the traditional family into a new society but no matter how hard we push and shove, it just won't go without considerable pinching. The suggestion to be developed here is that we must turn to a consideration of what shall be termed the "myths" of the family. There we will find at least some clues as to the nature of the problems which concern us. Hopefully they will be clues sufficient to permitting a start toward solutions based at last on the right questions. First, though, some preliminary comments about the notion of "myths" as it is being used here. The notion of "myth" is unfortunately, not ideally suited for the purpose here intended. Yet I have not found a better candidate for the job. The chief difficulty with the use of "myth" arises from our tendency to equate myths with illusions or to think of myths as being, in some sense, untrue. As will be seen, however, it is not proper to ask of myths if they are true or false. Rather, we may and must question their adequacy or fitness. This distinction, subtle as it may be, will be made clear in what follows.

The most fruitful approach to defining the notion of "myth" will be to talk about the functions of myths. For, as will be seen, myths are creations which have very specific functions and are to be most readily recognized when they are, so to speak, busily engaged at their jobs. Consider, then, the proposition, "We hold these truths to be self-evident that all men are created equal..." It is clear that the assertion, "... all men are created equal..." is, in no ordinary sense of "man," "created," or "equal" a self-evident proposition on the order of "All widows are women whose husbands have died." On the other hand, the proposition, "...all men are created equal..." doesn't even qualify as a good empirical generalization. What, then, is to be made of the nature of this assertion?

The proposition that, "We hold these truths to be self-evident that all men are created equal..." is the expression of a decision, of a commitment to acting in a certain manner. It sets forth, in the guise of descriptive language, an ideal, a goal, a state of affairs to the realization of which the authors have commited themselves. Understood in this way it becomes clear that to ask if the assertion is true or false is logically improper. Rather, one might question whether as a goal or ideal it is fitting or attainable or adequate.

The point here is that the myths of the family have the same logical status and functions as do statements of the type just discussed. That is, they are not to be considered as describing any existing state of affairs (though they may be) or as asserting logical truths. Rather, they are expressions of what is to be considered as right or as it is sometimes put, as "natural." Thus it is said that it is natural for a mother to love her children. Or, that it is natural for men to live in families. Or, that it is natural for men to be sinful or selfish. The same type of thought is expressed in such aphorisms as, "Blood is thicker than water." or, "A mother knows her own." Myths also contain, usually covertly, an imperative or prescriptive meaning which directs individuals to seek to achieve the state which they purport to describe.

In the light of this explication of the notion of "myth" it can be seen, if only in a rather obscure way at this point that the resistance to manipulations aimed at solving the problems of the family stem from the fact that the decisional/imperative mood of the myths is ignored or not seen at all. Instead, the myths are taken to be descriptions of how things would be in and of themselves (i.e. "naturally") if men would be what they "naturally" are. It follows that if the ideal is not realized in fact it is not that the ideal is faulty but that men have failed to achieve the ideal - a fact which ordinarily entails some degree of guilt or blameworthiness on their part. One may paraphrase a saying of Jesus at this point and suggest that man is not made for the myths but that the myths are made for man. That is, although men may require ideals to give their lives direction and purpose, those ideals must be realizable if they are to fulfill their function. Ideals which are, for any reason, unrealizable can only lead to frustration, anger, and guilt. A problem which needs explanation at this point then is why people will endure frustration, anger and guilt in their attempts to reach impossible ideals rather than abandon those ideals. If this question can be answered some considerable progress will have been made toward meeting the challenge of effectively dealing with the problems of the family.

All of this will, hopefully, come clear if we now examine some particular myths of the family. Recently students in a course in fertility, reproduction and family planning were asked to discuss one of the following statements: (1) "The large family is a happy family." (2) "The family is the basic and necessary social institution." (3) "The parents alone should be responsible for the child's moral education." Here are a few of their responses. They are not to be taken as either particularly good or typical but as not uncommon expressions of the acceptance of certain myths of the family.

> (1) I do regard the family as a necessary institution because it is through the family that children learn to love and be loved. They learn what is expected of them and how to live with others. Without this type of training there is little hope that the child would grow up to be a happy normal adult.

Note first the strongly descriptive tone of this statement. At the same time note that this is description which contains, covertly, a strong prescriptive element. As in the case of the assertion that all men are created equal, this statement cannot be taken either as a logical truth or as a sound empirical generalization. Rather, it represents an ideal; something to be striven for. Yet, it stands in the mind of its author as a simple description. It expresses the myth that the family is the only or best source of the experience of love and responsibility - of the values by which life is to be lived.

A second answer is as follows:

> (2) Parents are responsible for their child's moral education. They are responsible for their child. A child spends much time with his parents from early stages of life on. Examples are set by parents who should try to judge what is best for their child. From these judgments and from the parent's own morals the child will develop his ethical viewpoints. It is not up to public institutions to set the values of young children.

Here again we see descriptive language carrying an appeal to an ideal and a prescription of the obligation to realize that ideal. The myths here express the idea that parents spend a great deal of time with their children; that they can and do judge what is best for their children; that the parents alone are responsible for moral education. By implication the myth is expressed that the children, in some absolute sense, "belong" to the parents. They are, quite literally, their property. And although they have the responsibility to do what is best for them, they and they alone have the right to determine what that might be.

A third response:

> (3) The large family is a happy family. I feel that this is a very adequate way of viewing the family. I think that a child with brothers and sisters that he can relate to and communicate with is by far a happier child than is one that is an only child. Also, with a large family the children have certain chores to do and the accomplishment of these chores gives the child a sense of belonging while the only child might do chores but has no sense of accomplishment because he may feel that the chores were not related to the well-being of the family.

Here are expressed the myths that the large family alone can provide companionship and that the only child is a lonely child. This response indicates, too, that the child's role can be of substantial value for the material well-being of the family. It should be emphasized that there was, of course, a time when these myths did fruitfully prescribe and actually describe the situation of the family. It is only because their prescriptions were fruitful that they could attain the status of myth and that they could come to be factually descriptive.

These responses indicate some basic tenets of the myths of the American family. In addition they indicate that the values ascribed to the family tend to be functional or operational values rather than intrinsic (i.e. God-given or created) values. It is interesting to note that in spite of this it is often the case that, when the institution of the family is criticized appeal is made to a divine or intrinsic authorization of the institution. This simply reveals, though, that these myths exert a deep hold over our minds and that we will go to great lengths to avoid the discomfort attendant on losing them.

The above observation raises a crucial point. It is that in the case of those elements of a life-style most fundamental to what is believed to be the well-being of an individual or a society, there is inevitably a massive resistance to change - a willingness to endure considerable discomfort rather than to seek alternatives. It is much the same situation as that in which people refuse to leap from a sinking ship; fearing more strongly the unknown of the sea than the illusory safety of the ship. To the degree that attempts to solve the problems generated by the breakdown of the functions of the family resemble only fragile life-rafts adrift on the sea, it is not surprising that the great number of people prefer to live with the traditional myths of the family no matter how hopelessly frustrated they may be in their attempts to actualize the ideals they prescribe, or how undesirable may be the consequences of clinging to those ideals. Thus we see, in a time when overpopulation threatens the survival of civilization, that it is not uncommon to find people who yet respect the idea that new life is to be produced to the maximum extent possible - an extent limited only by the family's available resources for the support of such life.

The function of the myths, then, is to underwrite the basic institutions of society. They do this in much the same manner as the fundamental models or paradigms of various scientific communities underwrite the activities of those communities, and as alternative systems of axioms and postulates underwrite the various old and "new" maths. They are the "end-points" in reason-giving. They express what is "obvious" or "what everyone knows" or "what is only reasonable." They set the rules of the game and, like the rules of a game cannot, within the context or play of the game be questioned. For if they are changed, it is no longer the same game. There are a number of significant parallels to be drawn between myths and rules but time does not permit more than this hint as to what they might be.

Instructive parallels can also be drawn to what Thomas Kuhn calls the "paradigms" of science. What he means by "paradigm" is best conveyed by seeing what he regards as examples of actual scientific paradigms: the Ptolemaic conception of the universe, the Newtonian picture of the universe or the Einsteinian. The germ theory of disease or the corpuscular theory of light. These are all scientific paradigms, some current, some outdated. Now, whereas the practitioners of the various sciences are generally aware that the fundamental paradigms which determine what shall be counted as legitimate problems for investigation, what as legitimate methods for their solution and what as satisfactory answers to them, are themselves always subject to the possibility of modification within very broad limits, there seems to be no such generalized awareness of this possibility in the case of society's myths. The reason for this is in part that these latter "truths," unlike those which underwrite the various specialized fields of scientific inquiry, relate to, give substance to, define the entire sense of "reality" for the individuals whose belief systems they structure.

If I were to be pressed to distinguish between myths and paradigms, a fair criterion might be that whereas paradigms are more or less the products of conscious activity aimed at their creation, myths cannot, as will be shown, be the products of conscious acts of will. I will not defend this distinction very vigorously, though, as I would want to insist both that there is an "intuitive" element in paradigm formation and a conscious element in myth formation. Suffice it to say that there appears to be basically a difference in the degree to which these factors are present in the respective cases.

To appreciate fully the character of "depth" which myths manifest, consider the case of how a scientist who had devoted his life to the pursuit of knowledge as defined within the Ptolemaic paradigm of an earth-centered universe would have felt when his universe was rejected in favor of a sun-centered conception of the universe. His life's work would have been rendered obsolete. He would be, professionally, in the place of the buggy-whip manufacturer following the introduction of the automobile. Even granting that he had, intellectually, already come to the awareness of the shortcomings of his own paradigm of an earth-centered universe, he might still feel and even manifest a deep resistance to its abandonment - a resistance only to be overcome by an even deeper commitment on his part to a realization of the goals of the scientific enterprise; goals which the new conception make more attainable.

In referring to basic conceptual shifts such as that just described, Thomas Kuhn uses the term "scientific revolutions." He thus emphasizes the radical nature of the change in world-view and understanding entailed by such shifts. Kuhn argues that such scientific revolutions occur only after somewhat extended and serious periods of crisis in the sciences; crisis in which the explanatory power of older paradigms becomes progressively weaker and in which the number of problems which call for scientific attention become progressively greater. Yet, since the function of the paradigms is not that of describing reality but, rather, of providing a foundation for making fruitful predictions about the future behavior of that universe and, ultimately, of developing control over natural phenomena, they, the paradigms, are expendable when they no longer fulfill their purpose.

I am aware that this brief digression into the history and philosophy of science leaves many questions unanswered. Yet, enough has been said to permit the drawing of some parallels between that history and the problems to which this paper is primarily directed. What is being suggested here is that the myths which condition our understandings of the institution of the family have, logically, the same status as do the paradigms of the sciences. Their function is to express both what ends it is that such institutions are intended to achieve and the accepted or acceptable means which are to be employed in achieving those ends. They do this through what is ostensibly a descriptive use of lanugage but one which, as has been seen, is descriptive of an ideal state which is to be realized only through the decisions and actions of men. They thus provide a measure by which the decisions and actions of men can be judged. More importantly, though, they create a framework of common understandings; a framework which is a necessity if there is to be community or society at all. Yet, like the paradigms of the sciences, it is possible that these social myths may, on occasion, come to require adjustment. They may even have to be abandoned. This at that time or place when, because of changes in the context or situation of human life they come either to frustrate the realization of the ideals which they establish or when even those ideals require to be replaced by others.

Like scientific paradigms, myths have a heirarchical structure in terms of which some are relatively more basic and some derivitive. They are end-points of arguments only in a relative sense then in that it is usually possible, by shifting one's ground slightly, to relate them to even more basic myths. Thus the myths of womanhood, such as the myth of innate mother-love or of the childless woman as unfulfilled are end-points in the discussion of women yet derivitive from the more general myth of the family which requires that there be many children to make a happy family.

Unlike the paradigms of the sciences, however, the myths which underlie the basic institutions of society are not usually or generally recognized for what they are. They are taken, rather, as descriptions of a reality to which men must conform themselves: a reality which imposes its demands on men independently of their wishes and desires. Since it is one of their functions to give some substance to the notion of reality, their hold, both intellectually and psychologically is deep and pervasive for so long as they function in anything resembling an adequate manner in making possible the realization of the needs and desires which they are intended both to articulate and to serve.

Again, like the paradigms of the sciences, myths are not solely constitutive of the sense of reality. There is a givenness in experience which, though it does not dictate any particular conception of reality, yet sets outer limits beyond which particular reality conceptions cannot go without becoming self-destructive. For example, a myth which dictated human activities of such a nature that no time was allowed for the acquisition of food would, obviously, be self-destructive. Thus, even those communities which have been built on myths which scorn the physical side of man's nature have had to find room in their schedules of prayers or other activities for the business of acquiring food.

It seems clear that we are in a period of crisis in terms of many of our social myths and especially those of the family unit. This is a period in which many of the myths which have so long functioned to give order to life are loosing their power. The far-reaching and even fundamental changes which have so altered the context of life in the Twentieth century can no longer be accommodated by traditional institutions. But even though this is a not uncommonly accepted point, it remains that we do not yet see clearly either what new myths must replace the old nor how to accomplish the creation of these new myths. For it is crucial to recognize two points here: first, that we cannot do without myths and, second, that we cannot create new myths by relatively simple acts of will.

That is, though myths function to provide the foundations for all activities of reasoning, they are not themselves the products of reason. Their source and their appeal goes far deeper into the being of man than does his capacity for reasoned thought. All reasoning after all must begin from some point; from some "truth" which itself is not derivable from any more basic rational source. And it is the function of myths, like that of paradigms in science, to provide such a source. Secondly, because myths must call forth a response from the entire personality if they are to be effective, they cannot be created by acts of will. They arise and die independently of our conscious desires to create or destroy them. Some evidence of this is seen in the attempts of Madison Avenue to create images and slogans for the products it advertises. This process most closely resembles the use of a shot-gun to bring down a bird. Shot is scattered out in the general direction of the bird in the hope that one or a few of the pellets will do the job even though all the others miss. Thus we find the advertising man trying out a variety of slogans and image ideas in various test markets, searching for the one that works - the one that stimulates sales.

There is generally no thought given to the rationality of the appeal for it is not rationality that ordinarily succeeds. Thus we are told, for example, that Oldsmobile gives us "Something to believe in," or that the Chevrolet Capri, the "sexy car" has a "fervent 1200 c.c. engine." A local discount store ran a large ad stating in bold type that, "Even if you own only one tree, you *need* a Remington chain saw." The attempt in such ads is not to appeal to the reasoning capacity in man, but to strike at his deepest roots of motivation; roots from which grow the "needs" and desires which direct the path in which reason will operate. For it is the function of reason, in the words of Hume, to be "the slave of the passions."

A good deal of the time of the advertiser is spent just in creating needs where none existed consciously before; in creating awarenesses of and desires for products that even in our wildest nightmares we could never think of ourselves - electric lawn edgers, electric soap lather dispensers, eight track, four channel, automatic station-seeking, multiplexing, AM, FM, phonograph, tape recording, color TV home entertainment centers and automatic cigarette lighters for the dashboards of snowmobiles. These needs are created by appeals to non- or pre-rational sources of motivation. They draw upon the myths which determine the "realities" in which we live. It is in order to realize the pictures portrayed in these myths that we find that we come to "need" the esoteric products of man's technological talents. If a man is to be masculine he "needs" a four-hundred horsepower car. If a woman is to be feminine she "needs" the latest in feminine hygiene products.

It is not to be understood that man, in pursuit of his ideals is irrational. Men generally do effectively pursue the means reason indicates in the achievement of their ends. But the myths which dictate to them their ends only rarely become themselves objects of critical scrutiny. It requires genuine crisis before this can occur and men set about to reorder their priorities. Thus the nature of what are here called the myths of the American family is such that they are by and large impervious to the effects of reasoned debate aimed at their modification or at bringing about their abandonment. They function as the foundations for reasoning and thus are logically antecedent to arguments. Arguments designed to support them are necessarily circular and arguments designed to discredit them are, logically, irrelevant. In understanding the logic of this point, one comes to see why it is that debate on certain topics is so often fruitless and frustrating; why it is that one's opponent in such arguments so often seems hopelessly dense and obdurate. It is because, although the words used by both parties to the dispute may be the same, they are being used in relevantly different, logically independent contexts of reference - contexts supplied by the fundamental myths to which the debators individually subscribe. This type of impasse is most dramatically illustrated in a current controversy which itself is not totally divorced from the considerations of the family which are the center of our attentions. This is the great abortion controversy. A few brief remarks will illustrate the point.

In almost all disputes about whether or not existing legal and moral attitudes regarding abortion ought to be liberalized, the point is finally reached where one party insists that abortion is right or wrong because the fetus is or is not human. Here the argument touches bed-rock. If the fetus is human, abortion is murder. If it is not human, abortion can be looked on as a relatively simple medical procedure. But the myth in terms of which we ordinarily ascribe humanity to anything was not designed to deal with this kind of situation: it provides no ready answer to our question. Thus the parties to this debate, while each assuming that he is dealing with facts, with what is "obvious," simply don't communicate with each other. They may become frustrated because their opponent cannot see how obvious are their conclusions. Attempts are often made to arrive at criteria for defining "human"; genetic uniqueness, chromosomal wholeness, quickening, viability. But these devices are, in the immediate context, ad hoc appeals. They lack both logical and, usually, psychological force. They could only afford a resolution to the debate if both parties would agree to accept them as defining criteria. But this would not be the settlement of a factual dispute on whether or not the fetus is human. It would be an agreement to give the concept "human" an added dimension of meaning - a new use. It would, in essence, be to agree on a new myth of humanness. And this is, of course, exactly what this debate requires. The problem is that any agreed upon definition is, in and of itself, arbitrary - resting on no possible appeal to facts but, rather, creative of a new class of facts - i.e. that the quickened fetus is human but not the unquickened or that the viable fetus is human but not the unviable one. Clearly, the appeal intended to justify the setting of any particular definition must be to the expectable consequences of the adoption of that definition rather than to any antecedent facts; for there are no such facts.

The agony of decision which accompanies such definitions and by reason of which we so often avoid many decisions is directly proportional to the gravity of the consequences which any such decision entails. The more closely interwoven the concept being redefined is in terms of the galaxy of concepts with which it is associated, the more serious and disruptive are the consequences. Thus it is that when one attempts to redefine the concept of family; to arrive at new myths of the family, the potential for disruption of other concepts and institutions is immense. This because the institution of the family is so intimately connected with so many other social institutions. This consequence goes a long way in explaining the resistance manifested to attempts to alter the notion of the family in spite of clear indications that the institution as presently defined and operative is becoming increasingly inadequate to the tasks assigned to it.

Perhaps even more important from a tactical standpoint than this understanding of the logic of myths is an understanding of the deep and pervasive nature of the hold that myths have over us. We have seen that they are strongly resistant to merely logical appeals, or even to appeals to the consequences of their continued use. They constitute the basic structure of reality as it is perceived and thus, for most practical purposes, as it is for those who subscribe to them. They thus contribute substantially to our conceptions of who and what we are - to our sense of identity. In this regard, the sciences of man have provided considerable evidence of the lengths to which we will go to protect and defend our self-images and of the discomfort we will endure to preserve them. Inconstancy in the world which we inhabit, or which we believe we inhabit, is a far greater threat than the discomfort or even the pain required to live in a world of which we can be certain; a world which is at least consistent in the conditions under which it inflicts pain upon us. Thus, if efforts to rethink the role of the family in American society and to articulate alternatives to it, or even modifications of it, are to hope for success, they must be aware of and give due respect to the myths of the family.

Before concluding it might be helpful if a particular example could be given of the kinds of considerations which seem most relevant to the task of creating alternative conceptions of the role and responsibilities of the family. To this end we shall briefly examine the particular question of whether and to what extent the parents have the responsibility and the right to the moral education of their children. This topic is chosen because it is of some importance today as well as being a subject of general discussion.

Any approach to redefining the rights and responsibilities of parents for the moral education of their children must begin by recognizing that for perhaps the first time in the history of any society, but certainly for the first time in the history of this society, the family is not and cannot be the sole or even the primary agent for the socialization of children. There are many reasons to account for this, not the least important of which is the degree to which technological complexity has led to a high degree of interdependence between all elements of American society. Given this fact, the ethic which directs the society must reflect the implications of this practical interdependence. Whereas it was at one time possible for a person to go from the womb to the tomb, from the basket to the casket, in one highly homogeneous community, that is no longer possible for the great majority of citizens. Thus it becomes imperative that the process called socialization come to reflect the diversity of the culture in which the individual will live his life. It is questionable at least whether parents alone, no matter how well intentioned, are capable of carrying through this vital task.

Even more importantly to be noted is the fact that whereas at one time the child did play an important and even vital role in ensuring the well-being of the family unit, he today exists in an almost totally parasitic relation to the family. And this fact has significant consequences. When the family was the primary source of its own material well-being, and prior to the advent of domestic automation and urbanization, the child had vital work to perform. He was not only dependent on his family but they were dependent on him. If his assigned work was not accomplished the entire family could suffer. In this relationship is to be found the basis of moral experience - the experience of having obligations which are more than formal and upon the performance of which the lives and well-being of others depends. Today, however, no such experience is available to most children. They may have "chores" to do but these, of necessity, consist largely of make-work or of tasks which may make life slightly more comfortable in the family but which are far removed from ensuring the survival of the family unit. Thus children necessarily are denied the opportunity to grow and to develop moral experience and the wisdom which accompanies such experience. They are, after eighteen years or so, launched into the world and expected to immediately assume a mantle of moral responsibility and wisdom. This, I suggest, is a manifestly impossible demand to make of them.

These are just two of a multitude of factors which may be relevant to answering the question of the rights and responsibilities of parents for the moral education of their children. It is only when intensive thought is directed to such factors that we can break the shackles which old mythologies lay upon our imaginations and begin the task of recreation or of the rediscovery of mythologies for our time and for the future.

In conclusion, I should like to hazard a guess and offer a suggestion to all of us who share a concern for the question of what is to become of the family unit in American society. I should guess that the family, as a basic institution of this society will be with us for some considerable time to come. Lest this should sound too obvious, however, I would add the caution that if this is to be the case; if we are to avert a multitude of human tragedies in the near future, we must do more than placidly assume that the family is in its place and that the world can be adjusted to its demands. This leads to the suggestion. We should try to redirect our style of thinking about these and related matters to a considerable extent - at least for the near future. Whereas most of our thinking in recent decades has been conducted in the analytic and problem-solving mode, I want to suggest that it is time to redirect at least some of our energies to the task of once again seeking a synthesis of ideas. Interestingly enough, this kind of thinking _is_ being purused by two, at first sight, diverse groups; ecologists and the young. In the former case an effort is being made to see and understand how all living things are interrelated to one another and to their environments. In the latter case, what is often taken to be a movement toward anti-intellectualism might more properly be understood as a serious, almost intuitive, attempt to, as they say "get it all together."

Now, not only individuals but even entire societies may be "strung out" and in need of nothing more than once again getting in all together. Man needs to inhabit a _uni_-verse - to understand his world in a wholistic manner - to have a synthesizing metaphysic. Yet our time has been one in which the computer has come to symbolize our thought with its coldly analytical and highly compartmentalized approach to the solution of problems. We have analyzed ourselves into numberless fragments. It is time to stop solving _problems_ and to once again go back to the drawing boards. When each problem solved simply generates even more problems we must see ourselves as the sorcerer's apprentice. The devices which were to liberate us are now busily creating the conditions for our destruction. Since we can't go back we have no alternative but to find the myths which can make that which is unalterable at least livable.

The traditional myths of the family could, at one time serve to provide a _uni_-verse for men. They could function as adequate foundations for the full development both of individuals and of society. But the beliefs which structure the institution of the family can, ultimately, claim no privileged status. They too must undergo the change which is characteristic of all of man's other institutions. Thus what is needed is an application of critical synthesizing and sympathetic thought to discover a vision of the family which, because it serves to bring unity to man's sense of himself and his world, can win his allegience and devotion as to a new ideal.

SESSION TWO

Thursday, 23 March, Afternoon

SESSION CHAIRMAN

Dr. William C. Kaufman

SPEAKERS AND PANEL MEMBERS

Rev. Lloyd Lewis
Rev. Mark J. Schommer
Rabbi Isaac Vander Walde
Dr. Ira L. Reiss
Ms. Nancy F. Wechsler
Prof. John D. Shier

Religious Considerations in Limiting the Size of the Family Unit: Part One

Reverend Lloyd Lewis

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I was pleased when Dean Doberenz invited me to participate in this year's Population Symposium. I can remember last year commenting to one of the Symposium participants that a "religious" perspective at the Symposium seemed to be lacking and, perhaps, if added, would add a new dimension to the considerations of the problems to which the Symposium was attempting to address itself. It seems that often the loudest objections to even talking about limiting the size of the family unit and necessarily related subjects come from "church" people, objections usually accompanied by a long list of biblical injunctions, a theology demanding inappropriate responses to the present historical situation, or raw emotions--all of which usually preclude open discussion. This afternoon I will attempt to share two things with you: (1) where I, as a young Protestant minister, believe that the Christian tradition puts Christians in the world and (2) some of the official statements of the United Methodist Church, the Episcopal Church, and the American Lutheran Church, three of the too numerous Protestant denominations. To get at number one, let me share with you briefly some of the struggles of the Department of Youth Ministry of the United Methodist Church in Wisconsin. In it, I think we have a microcosmic view of the Church, or the United Methodist Church, at least, attempting to decide its relationship to the crisis-points that confront every human being.

By choice, more than anything else, most of my active ministry is now being given to Youth Ministry--a time-consuming, energy-demanding, availability-asking, life-style forming way of life. To understand youth ministry is to know that it is no longer a matter of creating programs to entertain or to edify, or of my creating programs to give them something to do. Youth Ministry adequately defined is youth empowerment. Youth empowerment is a decision-making ministry with and by youth for humankind. Youth Ministry is pervaded by the intense feeling that something must be done now, that decisions must be made now. Perhaps more than any other generation has been at their age, they are aware of and affected by the several crises that are happening at any given moment in the world. Awareness sometimes leads them to action that is often well-planned and effectively executed, at other times haphazard and harmful. Awareness puts them in tension with the world. Experiencing that tension to a greater or lesser degree, they, like most of us, either attempt to change the values, structures, and institutions that they perceive as needing to be changed or step-back, throw-up their hands, and try to live in isolation. For example at the June 1971 Annual Conference of the United Methodist Church in Wisconsin, thirty-one teen-agers and several adults signed a statement covenanting with each other that, because of their responsibility to the entire human family, they would have no more than two children. The youth-sponsored statement was read into the minutes of the Annual Conference, and, later distributed to local churches. Parents were not always pleased with the decisions that their children had made. Perhaps, they are examples of Rudolf Bultman and Richard R. Neibuhr's "radial man", a "being for whom immediate reality is power: power driving and moving him, distracting and destroying him, healing and shaping him." (R. R. Neibuhr, Experiential Religion. New York: Harper & Row, 1972.) Radial human beings are products of a radial world, a world in which human beings are molded and formed by many powers and a world in which they become aware of their own internal and external variety. At this point and in this situation, human beings are caused to make decisions, to alter or change values and life-styles, and to choose morally and ethically in new ways. Hopefully, what the Church can do is to enable human beings to act intentionally, thoughtfully, and feelingly, not totally relying on a past of traditions, doctrines, and theologies, and dogma, though not totally denying them. A regard for the past must be combined with a rational and feeling appraisal of the present historical situation with its demands and possibilities and with an informed and enlarged view of what is possible for the future of humankind. Our lives can no longer be geared to a locality, an ethnic or racial group, a nation state, or, perhaps even the world. Our lives are lives in an age. (R. R. Niebuhr, p. 14). To hear Richard Niebuhr: "Each man, therefore, inevitably lives in a world partly private, but - more importantly - men also share larger worlds, on which their private worlds are dependent." (R. R. Niebuhr, p. 27). As a young Protestant minister I believe, i.e. I "hold dear", I "value" human life in a McLuhanesque "global village" or in a Teilhardian universe in which the unity of all that is the focusing reality, a reality created by human willingness to take care of the universe.

To return briefly to the Department of Youth Ministry. One of the most significant happenings for me this year was to be a participant in their struggle and attempt to create a theology for themselves as the church. The need was felt to have a theology - by their definition, questions and affirmations about God and life - out of which they could live meaningfully and significantly and make decisions and choices honestly and appropriately. Using new images and stories and parables that related them to the universe, they created their concept of the human family. One's family was where one happened to be at the present moment. One's responsibility to that family was to take care of them as was needed doing whatever was required. When questions about war, hunger, population control, acceptance of new life-styles, nuclear testing, etc. arose, the questions and the issues were thrown-up against their budding theology. Decisions and choices began to be made in a defined theological context. The questions: "How will what we decide or what we choose help provide a qualitative life for all human beings? How can we show that it is our intent to be responsibly aware and, if possible, actively involved in taking care of the human family and all that is?" Idealistic? Yes! But it is an attempt to live as professing homo Christianus (R. R. Niebuhr, p. 10) in a new age. "It is realizing that in what one sees there is opportunity for the witness and his neighbors to live in a new relationship to their times, to each other, and to themselves." (R. R. Niebuhr, p. 23)

Maurice Mandelbaum in The Phenomenology of Moral Experience (Glencoe, Ill.: The Free Press, 1955) thinks of decision-making in terms of doing that which is "fitting" in a given situation. The idea of "fitting-ness" includes "not merely the present conditions which we find ourselves confronting, but those past and future events which we recognize as being relevant to the choice which we are to make" (M. Mandelbaum, p. 61). Human beings must make decisions and choices by carefully examining a given situation, weighing all the facts and feelings, and, then, doing what is most "fitting." Automatic and unconcious reactions most often lead to inappropriate actions. Oftentimes such reactions are harmful to qualitative human life. Perhaps, what the church must do is to enable Christians to think through each decision and choice, not always relying on what has been taught or done in the past. Perhaps the decision or choice will coincide with past statements, but, if they do, it will be because we have decided that that is the most fitting, most appropriate, most Christian way in which to act. If the past is not relied upon, perhaps it is because living in a new age requires new decisions and choices.

To the responsibility of creating an individual and corporate theological context out of which to live and the intentional developing of the ability to determine which decision or choice is fitting or appropriate at a given moment in history and in a given situation, there can be added one other factor: the willingness to take charge of our lives. Harvey Cox, Professor of Church and Theology at Harvard Divinity School, suggests that the first human sin, the "fall" in the Garden of Eden, was not just a sin of pride or of sexual promiscuity or of disobedience. He re-reads the Genesis account and sees the first sin, Eve's misdeed, as a sin of acedia - the sin of not caring. "Eve shares with Adam the assignment of exercising mastery over all the creatures of the field. Her 'original' misdeed was not eating the forbidden fruit at all. Before she reached for the fruit she had already surrendered her position of power and responsibility over one of the animals, the serpent, and let it tell her what to do." (H. Cox, *On Not Leaving It To The Snake*. New York: The MacMillan Company, 1969, pbk. ed., p. XV.) Eve surrendered her position of power, thereby refusing to take charge of her life, Adam's life as she was related to it and the life of the universe with which she had been entrusted. Eve's unwillingness to take seriously God's commandment to have mastery over creation, i.e. to take charge of life as it had been given to her, showed up when she let some snake tell her what to do. With that, she relinquished control of her life.

For human beings who stand within the Christian tradition by way of profession or acculturation, Jesus is the image of our responsibility to create as well as to enjoy qualitative human life. "When Jesus of Nazareth began speaking out for God, he called on his fellows to change their minds in the face of God-ruling." (R. R. Niebuhr, p. 25) Caring - mercy, justice, love, honesty - were to replace competition. People were more important than production. Jesus lived out of a significant and meaningful theology - his intense and total relationship to God; he gave his life to meeting the intellectual, emotional, physical and spiritual needs of human beings, making those decisions and doing those things that were "fitting" for his time in history; he was intentional in his lifestyle, refusing to relinguish control of his life to anyone but God. If Jesus is taken seriously, we are not confronted with long lists of do's and don'ts. We are called upon to create life-styles for ourselves that reflect our God-relationship. Because of that relationship, the decision we make about crisis-questions might be different from what we had expected. Mastery over creation is no longer the assigned responsibility of human beings. Life-together, intense fellow-feeling, means caring for and being cared for by all that is. "A century ago, those who were philosophically inclined found it still necessary to use Plato's doctrine of universals to indicate how one man could be a vicar for others, Adam for his posterity, Christ for his brothers. But now no member of the civilized world has a choice but to be one who stands sensible and morally in the place of others, even though he may lack strength for this role and succumb to spiritual destruction in it." (R. R. Niebuhr, p. 4)

My belief is that the Christian tradition puts Christians squarely in the world, not as a rest-stop on a journey to another better world, but in order to make the most out of life now. Caring is the key word. In order to care for all that is, the Christian must enjoy the Creator and creation, but the Christian must also confront the world's crises with his *heart*, his *mind*, and his *soul*. I believe that the Church as an agent of Christianity must enable human beings, but Christians in particular, to create a theological context out of which to live and out of which to make appropriate responses to the present historical situation, with both hindsight and foresight.

It must make possible decision-making using the criteria of "fittingness", again with one eye to the past and one to the future. It must be freeing enough to allow Christians to take charge of their lives. For the Church, Jesus is the image of what can happen when one's God-relationship and the essential God-relationship of all that is is taken seriously. I believe that if the Church as an agent of Christianity can take the risk of enabling human beings to create life-styles that will help us be shapers of a world in which quality life is a possibility for all that is. "If any of us still picture ourselves in the images of Genesis, we realize that men have assumed a dominion of which the Priestly liturgists had no inkling. Or if we conceive ourselves or the hypothesis of evolution, then we perceive that we have appropriated the preogative of Darwin's impersonal principle of natural selection and that henceforth the direction of our growth depends largely on what we shall deem to be natural or right or good for mankind. Therefore, one does not need to turn back to metaphysics to affirm what daily experience is teaching us, that the spirit in human nature is a shaping spirit, molding the tissues of life. Nor does one need to philosophize on the priority of existence over essence in order to believe that in shaping the structure of life, man is making himself." (R. R. Niebuhr, p. 2) With these things in mind, let us consider what some Protestant denominations have resolved or advised on the questions of limiting the size of the family unit.

In April 1970, the United Methodist Church, at its General Conference in St. Louis, Missouri, adopted a "Population Crisis Resolution" in response to the many threats brought on by the population explosion. Several articles of that resolution deal with the question of limiting the size of the family unit:

> "That the church underscore the moral necessity of adopting the small family norm as an essential principle for stabilizing the size of the population, and thus protecting the quality of life.
>
> "That in planning their family, a couple should recognize that families with more than two children contribute to the population explosion.
>
> "That church-related hospitals take the lead in eliminating those hospital administrative restrictions on voluntary sterilization and abortion which exceed the legal requirements in their respective political jurisdictions, and which frustrate the intent of the law where the law is designed to make the decision for sterilization and abortion largely or solely the responsibility of the person most concerned.
>
> "That states remove the regulation of abortion from the criminal code, placing it instead under regulations re-

> lating to other procedures of standard medical practice. Abortion would be available only upon request of the person most directly concerned.
>
> "That the remaining legal and administrative restrictions on voluntary sterilization be removed and that the individual after counseling be given the right to decide concerning his or her own sterilization."

It seems that the intent of the United Methodist Church is to hold before its constituency a crisis involving all of human kind, and, then, to make suggestions as to what an appropriate Christian response might be. The use of contraceptive devices is acceptable, indeed, is advised. Abortions and voluntary sterilization must be the choice of the persons most directly involved. In any case, the United Methodist Church recognizes the need to limit the size of the family unit and is attempting to take those measures which will change institutions, values, and attitudes. Not only does the population crisis with its attending problems necessitate this, but also the changing definition of the family, the re-working of sex roles, the several liberation movements and a growing healthy reaffirmation of human sexuality has caused the church to respond in a new way to a new age.

The 1968 statement of the American Lutheran Church, entitled "Responsible Reproduction", concluded with this statement: "In the current situation of the population crisis the church needs to shift its teaching emphasis from reproduction as a command binding upon each couple to have children as a blessing and trust sought from God by those who truly would honor each such gift. Emphasis should shift from ... numbers of hands and workers to quality of care and nurture." The biblical injunction to replenish the earth (Genesis 1:28) must be distinguished from over-running the earth. The A.L.C. suggests two possible solutions to population control: (1) deferring or foregoing marriage, or (2) preventing conception. Conception now must be in the realm of choice rather than chance.

When deciding to have or not have children, a married couple should attempt to decide responsibly considering the welfare of the unborn child, the welfare of the present family unit, the effect a child will have on their marriage, and their responsibility to humankind. "Neither religious or social pressure should be used to insist that a married couple have children. The couple may feel a vocation other than parenthood, yet need the companionship, discipline, and mutual devotion a good marriage can bring to a man and a woman. They may decide, in the freedom and consequences of responsible choice, not to accept the proferred blessing of children. The church needs to emphasize that the power to reproduce is a blessing from God, not a penalty upon the sexual relationship." (A.L.C., "Responsible Reproduction.") When deciding to have children, there must be a realistic regard for the physical, emotional, financial, and spiritual demands of parenthood. The couple must consider probable income, the desired standard of living, and the requirements of occupations and professions. Concern for the health of the mother, regard for the hereditary endowment of the child, and the emotional capacity of the parents for rearing their children into maturity must be important factors weighed in the decision-making process. However, more than creature comforts are vital. "Every child deserves to be a wanted child, wanted for himself and in relation to the time and circumstances of his birth." (A.L.C., "Responsible Reproduction".) A couple has both the freedom and accountability to decide how large their family will be. A new factor entering the decision-making process now must be a growing, undeniable responsibility to care for the present population, providing a quality life for all people.

The 1958 Lambeth Conference statement of the Episcopal Church, reiterated and supported by the 1968 Lambeth Conference agrees with the statement of the American Lutheran Church: "The Conference believes that the responsibility for deciding upon the number and frequency of children has been laid by God upon the conscience of parents everywhere: that this planning, in such ways that are mutually acceptable to husband and wife in Christian conscience, is a right and important factor in Christian family life and should be the result of positive choice before God. Such responsible parenthood, built on obedience to all the duties of marriage, requires a wise stewardship of the resources and abilities of the family as well as thoughtful consideration of the varying population needs and problems of society and the claims of future generations."

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Religious Considerations in Limiting the Size of the Family Unit: Part Two

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The title of this panel--Religious Considerations in Limiting the Size of the Family Unit--suggests that there are other considerations as well. I call attention to this simply to point out what is obvious--that religious considerations do not act in isolation but are influenced by and also influence other considerations such as the biological, sociological, philosophical, psychological and theological. The Roman Catholic Church is not unaware of any of these considerations. However, the time allowed this afternoon does not permit an exhaustive exploration of the intermix of these influences. I must lean on your good will when I say that the Church is not unaware of these influences.

At this point in history, the Roman Catholic Church is undergoing a metamorphosis. The attempts made by the Second Vatican Council were aimed directly at making the Church more responsive to modern man in modern society at the same time balancing human conscience and divine authority. Over-riding all else in the Council's modern teaching is the principle of freedom of the individual conscience. If religion is the free response to the invitation to faith, then the conscience must be free to accept that invitation or to reject it. On the other hand, human conscience is not a law unto itself. There could be no law and order at all if every conscience were morally infallible. The history of the Catholic Church's teaching on conjugal love is an evolutionary one from the Manichean philosophy of Augustine which taught that sex without procreative intention is evil to freedom of the individual conscience for responsible parenthood.

It is crucial that I get this point across, for without it, the teachings of the Catholic Church today regarding marital sexuality cannot be understood. Man's conscience must be free to accept the invitation to faith that is religion but that conscience is not morally infallible. The foundational principle today of the Catholic Church's teaching in morality is

FREEDOM OF THE INDIVIDUAL CONSCIENCE

A free conscience is not formed by laws but responsive and operational through them. Conscience is formed on principles or convictions. The first principle of conscience for the person who has accepted the Catholic faith is: REVERENCE FOR HUMAN LIFE.

We honor God when we reverence life because we believe that God is the source of all life. The attitude man adopts toward life helps determine the person he becomes. A God who creates is a God who has made a commitment to life. To believe in God to be committed to life. God who creates life cannot be indifferent to it. Man who participates in the creation of life cannot either be indifferent to it. The Catholic Church attempts to form in its believers a reverence for life and the kind of attitudes toward life that will help them become fully-functioning persons in our society.

One might readily ask, why this reverence for life? Much of the answer to that question lies in the life of faith. We believe life is a gift and a promise--a gift to participate in the life of God and a promise to share that life forever. Without faith the gift and promise of life are shrouded in uncertainties.

Because the Catholic Church thinks of herself as a family of believers she is more solicitous to the human family. I doubt very much that the Church will ever make a drastic change in her teachings on the family. Sociological considerations of what the family is and ought to be in modern society may cause the Church to re-evaluate and redefine her commitment to the family, but the family unit will continue to be the primary social structure for the development of persons.

The sociological and psychological dimensions of life and man will always bear upon the Church's approach, but the Catholic Church will always see the theological and spiritual dimensions of life and man as primary. As the Church views the family she considers man in relationship to his destiny and the familial concept takes on its spiritual dimensions. This also is a crucial point if one is to understand the Church's attitude toward family planning. To judge the Catholic Church's attitudes on family planning by the sociological and psychological implications alone is failing to recognize that the Catholic Church has placed for its believers a primacy on the spiritual dimensions of life, man, and the family.

This then is the next principle for the Catholic's conscience--THE CATHOLIC VIEWS LIFE, MAN AND THE FAMILY NEVER FROM SOCIOLOGICAL OR PSYCHOLOGICAL IMPLICATIONS ALONE BUT IN RELATIONSHIP TO MAN'S SPIRITUAL DESTINY.

Very frequently the Catholic Church is forced to defend in the area of sociology or psychology a conviction or principle that is primarily theological or spiritual. The past and even the present teachings of the Catholic Church whether in theory or in practice on the family, reproduction, and abortion have not been popular. Just as frequently these criticisms are attacking a theological stand from a sociological or psychological base.

The Catholic Church recognizes the right of each individual to exercise his own conscience or convictions. She simply is saying to the world that among the other considerations the family should also be seen in terms of man's destiny. You must form and exercise your own convictions but you will not understand the Catholic Church's teachings if you judge these teachings in light of your own convictions alone.

Along with the consideration of the family must be the place that marriage has in society. The purpose of the Church is spiritual not purely temporal. The Church exists to lead man to his complete destiny in a life hereafter by living his life in the here and now in terms of that ultimate destiny. To the Church, then, marriage is more than a legal contract, it is a sacrament that should help lead man to a deeper and fuller spiritual life as well as a deeper and fuller earthly life. The principle and the laws that emanate from it simply call attention to this belief--THE CHURCH VIEWS MARRIAGE FROM A SPIRITUAL AND NOT FROM AN HUMANISTIC POINT ALONE.

No other institution or community in history has spoken more insistently and profoundly than the Catholic Church on the dignity of marriage. It is her positive teachings on marital dignity and sanctity and not simply her cautious strictures that will help you to understand if not accept what she teaches about responsible parenthood today. The Catholic Church is saying to its members that they should promote social, economic, and psychological improvement but in considering marriage and family that there should also be a spiritual standard.

To reiterate the foundational principle and the logical sequence of subsequent principles is important now as we move on into more concrete considerations of the Catholic Church and family planning:

1. THE CHURCH RESPECTS THE FREEDOM OF THE INDIVIDUAL CONSCIENCE.

2. THE CHURCH VIEWS MARRIAGE FROM A SACRAMENTAL AND SPIRITUAL AND NOT FROM AN HUMANISTIC POINT ALONE.

3. THE CATHOLIC CHURCH VIEWS LIFE, MAN AND THE FAMILY NEVER FROM A SOCIOLOGICAL OR PSYCHOLOGICAL DIMENSION ALONE BUT IN RELATIONSHIP TO MAN'S SPIRITUAL DESTINY.

4. THE CHURCH TEACHES A REVERENCE FOR LIFE.

If we keep in mind that life for the human is a participation in the life of God who is the author of all life, then, the Catholic Church speaks to us of life in more than just human terms. It is unfortunate that in all times some men have acted against life--murder, capital punishment, war are some common forms that men of good will recognize as irreverence for life. The Catholic Church extends belief in life's reverence by saying that potential life in procreation and fetal life in pregnancy must also be reverenced. If life is a gift from God, then the Catholic must not treat it lightly. The means by which potential and fetal life are reverenced are varied just as the means by which that life may be violated are varied.

When the Church addresses to us the words responsible parenthood, she does so out of the principles already stated, especially the principle of reverence for life. The decision to give life to another person in conception should be accepted as a responsible decision. The fact that that decision touches upon a human life with a spiritual destiny and a human person with dignity demands that it be a responsible decision. This and the belief that it is a human response to God's creative power demands that it be a reverent decision. It is an awesome, a powerful, yet a beautiful responsibility then that parents assume.

In all things the believing Catholic should exercise decisions based on the principles of reverence for life, respect for man's dignity and responsibility toward man's ultimate destiny. To the responsible Catholic then the principle of responsible parenthood means this: RESPONSIBLE PARENTHOOD PLACES ON PROPERLY FORMED CONSCIENCES OR CONVICTIONS OF PARENTS ALL THE JUDGMENTS, OPTIONS AND CHOICES WHICH ADD UP TO THE AWESOME DECISION TO GIVE, POSTPONE OR REJECT LIFE. THAT DECISION MUST BE CONSISTENT WITH THE PRINCIPLES OF REVERENCE FOR LIFE, RESPECT FOR MAN'S DIGNITY AND RESPONSIBILITY TOWARD MAN'S ULTIMATE DESTINY.

The final decision may involve medical, economic, sociological or psychological considerations, but in no case for the practicing Catholic should the above reiterated principles on man's life, dignity and destiny be violated. All other values must be subordinated to these principles. The Church, by reverencing man's life, dignity and destiny, says that the decision to give, postpone or reject life must be responsible to those principles.

It is very easy to view the Catholic Church's past and present attitudes as negative prohibitions and not see the positive teaching on the dignity and destiny of human life. It is too easy to judge that life should not be given at all if we look only at the quality of life in human terms such as social, economic or psychological and not also in terms of the dignity of life itself in the person and the destiny of that life in the hereafter. If we do not believe in a life hereafter, we have rejected man's ultimate destiny and much of our respect for man's dignity is lost. We then spend all our energies in the impossible search for a life without pain, sorrow, suffering and frustration.

The teachings of the Catholic Church today then must be seen in terms of reverence for life as participatory of God's life, the dignity of the person because of that life and the ultimate destiny of man in eternal life. Without these principles as foundation the Catholic Church's teachings will be seen only as negative prohibitions.

The teachings of the Church on family planning are these:

1. Reverence for human life as a participation in God's life.
2. Reverence for life in terms of human persons--therefore an emphasis on life already formed.
3. Reverence for life in terms of its ultimate destiny--eternal life.
4. Marriage is a sacrament for spiritual growth through a family.
5. The family is the fundamental unit for transmitting life's dignity and destiny.
6. We must respect the freedom of the individual conscience.
7. The decision to give or postpone life must be a responsible one in terms of the dignity and destiny.
8. Decisions to reject life made outside of responsible consideration for life's dignity and destiny are morally disordered.
9. Decisions to give or postpone life can and should be medical, economic, sociological and/or psychological considerations but never to the exclusion of considerations of life's dignity and destiny. When the reasons for postponing life are removed, the decision to give life should be made.
10. There is in practice sound theological opinion that within a responsible decision to postpone giving life, the Church leaves to parents and competent medical authority the means to achieve

fulfillment of that decision. It must never be outside the considerations of reverence for life's dignity or destiny.

11. Much of the Church's moral teaching is an attempt at objective morality based on principles. When in doubt of either the principle or the teaching or the action, the Catholic is free to act. However, the Catholic is also obliged to resolve the doubt in favor of the principle.

Nothing is more sensitively attuned to the mystery of faith than human life. The sacredness of life is the most accessible common denominator between men of faith and men of no faith. Whether men believe in God or not, human life emerges as the first and last reality in which men have faith. A man of faith believes in life as he believes in God. He discovers God because he finds himself alive, and, in believing in life, he believes it will not end. His heart cries out for God because of its hunger for life. In this way he attains God who rejects no man who loves life profoundly even though he may not have known that the core and center of the life he loved was a love so vital that death had no hold over it and hatred no ability to restrain it.

Every man turns to faith. Those who believe in God believe in him because they are aware that life must never be in vain and that, without God, this could happen. Faith is a man's way of declaring that the life in which all men of good will believe in ~~is~~ worthy of more faith than most men imagine.

Thank you!

Religious Considerations in Limiting the Size of the Family Unit: Part Three

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The question directed to us is "Religious considerations in limiting the size of the family unit." This paper tries to answer what Judaism has to say about the subject. It, however, wishes to make it clear that within the framework of the overall theme "Quality of Life and the Family Unit," it can only be brief and concise. Information was sought wherever it could be found, the bibliography at the end should testify to that.

The fundamental principle of Judaism's attitude toward sex, marriage and family is to be found in Genesis 1:28, where it is stated "be fruitful and multiply and fill the earth." This commandment makes it clear that man, created in the image of God, must see to it that through the act of procreation his species is to be preserved.

To understand Judaism's position we must be familiar with the character of the Jewish law. It is not only based upon the written statements that are to be found in the 39 books of the Old Testament; but it has also developed simultaneously an Oral Law and a tradition which are just as valid as the written law contained in the Bible.

What do we know about the structure of the Jewish family unit?

The Jewish family as it developed throughout the ages, and as it assumes its validity today is monogamous and patriarchal. It is based on the principle that sex is God given and that procreation is to fulfill His command; but it is also aware of the temptations of a sexual life practiced freely and without restrictions. Therefore it places high value on the institution of marriage, and is opposed to adultery and prostitution. The law defines adultery in terms of a married woman having intercourse with anyone other than her husband, or as far as a man being married or not, having intercourse with a married woman who is not his wife. The Bible prohibits adultery, incest, selling one's daughter into prostitution, and the rape or seduction of a betrothed girl. To prevent all these and to protect its members against the temptations of a permissive society, Judaism promoted the idea and ideal of an early marriage. Sixteen was considered to be the proper age for a girl and eighteen the latest when a boy should marry. To make it possible for young people to maintain themselves economically, they were taken into their parents' home, while the husband finished his schooling and prepared himself to build a family unit. The parents took an essential part in the selection of their children's life partner, and until modern times this kept the family together as a unit. The children on their part were aware of their obligations and they fell in line most of the time. Community feeling and social pressure were so strong that not living up to high moral standards was considered to cause the breakdown of accepted family standards. If a boy or girl that had fallen in love found the displeasure of their parents, they would listen to them. But if they attempted to circumvent their parents' will, they found it very difficult to achieve their goal. Marriages based on the idea of free advice were not very acceptable. We have before us a society based on strict class division, but which lacked adequate barriers between one class and another. Judaism ruled that "all families are presumed to be fit" and might intermarry with another, and therefore society could not permit the spouse on the basis of a chance encounter.

Marriage according to the Jewish tradition is a Mitzvah which means the fulfillment of God's command "to be fruitful and multiply," but at the same time we find in Genesis 2:18 "it is not good for man to be alone." The Jewish law in its widest explanation accepts that procreation is its thrust but with all things taken together, such as companionship and human fulfillment, marriage becomes a requirement of the law and in case of deferment it must be justified. Moses Maimonides, the great philosopher and Biblical commentator of the Golden Spanish Era states in Yad Hachasakah: "If one is occupied with the study of Torah and fears that his efforts at supporting a wife will prevent his studying, then he may delay marriage and continue his studies. For one engaged in the performance of a Mitzvah is excused from another Mitzvah."

Marriage as such may be deferred if circumstances desire it and conditions do not warrant it, but it ought to be concluded. The Mishnah Oral Law redacted by the second century states:

Mishnah: A man may not desist from the duty of procreation unless he has already children, and the Gemerah (redacted by the fifth century) elaborates on it: "If he has children he may desist from procreation, but not from further marriage. This is in keeping with what Rabbi Nahman said in the name of Rabbi Samuel: even if a man has many children, he is not allowed to remain unmarried, as it is written 'It is not good that man be alone.' Some say (Rabbi Nahman means) if he has no children he marries a woman who is capable of childbearing; if he does have children, he may marry a woman not capable of childbearing."

Thus we see that marriage whether based on procreation or companionship and fulfillment is considered to be a requirement of the Law.

What, however, is the condition when one aspect of marriage, namely procreation, cannot be fulfilled? The Mishnah states in Yevamoth 64 a:

"If a man married a woman and remained with her for 10 years and she has not given birth, he is not allowed to neglect further the duty of procreation." What ought he to do? According to Rashi, the great medieval commentator of the Bible and the Talmud, he is either to divorce her or to add a second wife. Let us clearly understand that according to the Bible bigamy and polygamy is permitted, although this was rarely practiced. Among the more than 2000 sages of the Talmud not one instance of bigamy or polygamy is being reported. It disappeared completely later on. The now famous ban of Rabbi Gershom of Mayence (died 1208) who was called the "Light of the Exile" prohibited plural marriages for all Western lands. With bigamy and polygamy prohibited, what remedy was there left for childless couples? Divorce against the will of the woman and marrying a second woman are considered to be unethical, and thus the Responsa Literature takes the attitude that nothing should be done to hurt the feelings of any party involved, for we read in Leviticus 25:17 "You shall not wrong one another."

Although divorce is legally permissible, should divorce by mutual consent be required? Perhaps the real attitude of Judaism in regards to enforced divorce is to be found in the following Midrashic story: A couple had been married for more than 10 years without having any children. Since the duty of procreation had to be fulfilled by the husband, both decided to separate. The rabbi who was asked for advice persuaded them to celebrate their separation with a feast. During the celebration the husband asked his wife to take with her the object she desired most. She selected him. No doubt they lived happily ever after.

With marriage as a goal and procreation as one of the most important purposes does Judaism have anything to say about limiting the size of the family unit? Judaism has indeed a considerable literature on the subject, and there is no agreement among rabbis as to the morality and immorality of planned parenthood. On one principle, however, most agree, economic and social hardships should not be the decisive factors in planning the size of the family, neither should this be based on the personal comfort of the parents. The essence of Jewish teaching is that procreation is a positive divine commandment to be pursued by faith and trust. Considerations of physical hazard are admissible, but never those of convenience or self-indulgence. The use of contraceptives is permitted by the Law; but it is the woman who may use them, while a man may not. He has to fulfill the commandment "to be fruitful and multiply," whereas her role may be a passive one.

When are contraceptives suggested? The Mishnah speaks of 3 women, and states it in the following way:

Rabbi Babai recited before Rabbi Nahman 3 categories of women must or may use a contraceptive in marital intercourse: a minor, a pregnant woman, and a nursing mother. The minor, because (otherwise) she might become pregnant and die. A pregnant woman, because (otherwise) she might cause her fetus to become a sandal. A nursing woman, because (otherwise) she may have to wean her child prematurely, and he would die. And what is a minor? From the age of 11 years and a day until the age of 12 years and a day. One who is under or over this age carries on her marital intercourse in the usual manner--so says Rabbi Meir. But the other sages say: The one as well as the other carries on her marital intercourse in the usual manner, and mercy be vouchsafed from Heaven, for Scripture says (Psalms 116:6) "The Lord preserveth the simple."

This particular Mishnah has given expression to various permissive and non-permissive opinions. Without going into any further details, it may be safely concluded that the method suggested or required by the 3 women may be applied by others, if they choose to do so. Of course the commandment "to be fruitful and multiply" must be fulfilled. A man fulfills his obligation according to the sages when he has fathered one son and one daughter. In Genesis 1:28 it is stated that this commandment is explicitly for the purpose "to fill the earth." One could perhaps reasonably argue that this has been reached in our days, when there is a threat to overpopulate the world. By Jewish law sexual intercourse is not exclusively for procreation. One may cohabit with one's sterile wife, and one may cohabit with his wife during her pregnancy and after menopause.

Summarizing Judaism's attitude towards sex and all the problems connected with it, we may state that its viewpoint is a pragmatic one. Sex is an important function in and of life. It must be exercised, however, within limitations that make the sexual act a function to be based on personal morality and individual holiness. It must never be abused and must be exercised properly. It must be based on idealism and "enlightened responsibility." In the Jewish system of values marriage and marital sex must be accepted on a positive basis. Procreation--yes--this must be the basis for a sound human relationship. Contraception, limitation and restriction only, when the life of the woman is endangered; but not because of economic or historic factors.

No report about "Religious Considerations in Limiting the Size of the Family" can be considered all embracing, unless it also contains a view about Judaism's position towards abortion.

Every monotheistic religion has a built-in system of moral and ethical values. Judaism emphasizes the point that these values are God given. It is not up to the human conscience to criticize them, it is its duty to enforce them. Authentic Judaism maintains that these values derive their validity from the Revelation on Mount Sinai and have been developed throughout the ages by the sages whose task it has been and still is to explain the Law. A vast rabbinical Responsa literature pertaining to the subject matter under consideration shows that Judaism recognizes only a grave danger to the life of the mother as a legitimate indication for therapeutic abortion.

Reference to abortion in the Bible is to be found in Exodus 21:22-23. Here we read: "And if men strive together, and hurt a woman with child, so that the fruit depart, and yet no harm follow, he shall be surely fined, according as the woman's husband shall lay upon him, and he shall pay as the judges determine. But if any harm follow, then shalt thou give life for life..."

The Jewish interpretation stresses that if no "hurt" was done, and she survives her miscarriage, no capital guilt shall be placed upon the attacker. All he has to do is to pay compensation to the attacked wife's husband. In case of fatal injury to the woman, the attacker is responsible for her death and has to give life for life.

In Exodus 21:12 we read: "He that smiteth a man so that he dieth, shall surely be put to death" which the rabbis interpreted to mean a "man but not a fetus." Jewish law assumes that the full title of life comes into existence after the child is born. Here we differ from the Catholic viewpoint which assumes that life begins with conception.

The Talmud reads: "If a woman is in hard travail (and her life cannot otherwise be saved), one cuts up the child within her womb and extracts it member by member, because her life comes before that (of the child). But if a greater part was delivered, one may not touch it, for one may not set aside one person's life for the sake of another." Mishnah Oholoth 7:6, Talmud Tohoroth II

From these classical sources of Jewish law we learn 1) that abortion must be performed to save a mother's life, and 2) that the destruction of an unborn child is not considered murder, but only a grave offense.

Turning to the extensive Rabbinical Responsa literature we find that criminal abortion as distinct from therapeutic abortion is hardly mentioned. It seems that this was almost non-existent so that the rabbis do not feel it necessary to deal with those cases.

In the Responsa literature the rabbis elaborate upon the law as written in the Bible and Talmud, and come to the conclusion that abortions per se must be ruled out. Their only concern is for the mother's safety as a valid argument in favor of abortions. In the Jewish view all human rights and their priorities derive from God, who is the Creator. It is true that according to the Bible the rights of the mother and her unborn child are distinctly unequal, since the label of murder is only invoked after the child was born. This does, however, not imply that the destruction of a fetus is not considered a very grave offense against the sanctity of human life; but technically it is not called murder.

A threat to the mother need not be immediate or absolutely certain. If there is, however, such a possibility, and if it is genuine and confirmed by the most competent medical opinions, then all the life saving concessions of the Jewish law can and should be invoked.

Summarizing we may say that abortion for less than a serious reason must be ruled out. There are, however, mitigating circumstances that must be taken into consideration. By and large the rabbis relied upon the maternal instincts of the women and on the safeguards which they had instituted. They were guided by their humane compassion for the welfare of the woman, alive and actual, and were moved by the principle that "her pain comes first."

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Panel Discussion

DR. KAUFMAN:

This is a panel discussion on the first day of our Population Symposium, The Family Unit, and your speakers once more are Dr. Reiss, sociologist, University of Minnesota; John Shier, professor of philosophy at UWGB; the Rev. Lloyd Lewis, First United Methodist Church; Father Schommer of the Diocese of Green Bay; Mrs. Nancy Wechsler, a lawyer from New York City; and Rabbi VanderWalde, Green Bay.

TED JAMISON:

Dr. Reiss, in your speech this morning you implied that as children enter a marriage happiness leaves it, I wonder if this is in accord with the statistics in regard to the number of childless marriages that break up. I understand that Judson Langless states that two out of three childless marriages eventually break up. If children would cause unhappiness, I wonder what your viewpoint would be about the marriages which break up which are childless?

DR. REISS:

I didn't mean to imply that children create unhappiness, I meant to imply that they reduce the amount of happiness. I think in most cases the level of happiness stays in the positive zone. Instead of being ecstatically happy, one becomes mildly happy. So children do not produce divorce, at least not in a majority of cases. What they produce is a strain on the time and energy that the husband or wife have to spend with each other. Now there are positive outcomes in that one may get more satisfaction from the parental role while they're getting less satisfaction from the marital role and they may be perfectly content with that kind of exchange. As far as divorce with childless marriages, I think you would have to check a lot of other factors on people who have no children to see whether or not they indeed have a higher divorce rate. There's lots of pathways to divorce and so you don't have to go just one way, with or without children.

TED JAMISON:

Rev. Lewis, in your comments you made reference to preserving the quality of life when talking about the increase or decrease in the number of children in the family unit. My question is, what society's quality of life are you preserving and is this a western society or is this a society of the world?

REV. LEWIS:

In response to your question, when I talked about the responsibility of the Protestant Christians limiting the size of their family units or making responsible choices about how many children they are going to have, it is my feeling that that kind of decision has to take into consideration not only what's best for that particular family or maybe even that particular society in which they live, but there is also another kind of responsibility to other societies, to human beings. I wasn't limiting it to one particular society or one particular nation.

BONNIE DORN:

My question relates to that same point, so it's for Rev. Lewis or any other panel member who also alluded to the idea of "quality of life." I find that when you address yourself to the subject, you find yourself saying, we shall limit our family to two children so that we simply duplicate ourselves. I don't hear anyone, and maybe shouldn't expect to hear anyone, addressing themselves to the point, do we also consider the style of life that we are living? Do we say we are only going to have two children so that we can continue to consume as we do or do we say we will only have two children and we will also change our life style so that the quality of life can be more encompassing for everyone? Could someone comment on that?

MR. SHIER:

I think a number of terms have been used today, I probably used some of them myself, which give the impression of having substantial content but which are entirely vacuous when one pushes on them a little bit. I think "quality of life" is perhaps one of those terms. My response might be twofold. In the first place, to say that when we use words like "quality of life" or "responsible" or "spiritual," we must be careful that we are doing more than simply giving the impression of content. We should have some ready cash to back up these checks we are offering if somebody wants to call us on them. Specifically, though, in relation to the question of quality of life, my response would be that this is what the myths are for. The myths I was talking about have among their functions to spell out an ideal of life. Now 100 years ago, let us say, when life was a very precarious kind of commodity--it could be threatened by all kinds of natural disasters and man-made disasters--the notion of quality of life became very closely identified with that of security and when life was a life of daily drudgery and toil, perhaps especially for women, it became identified with freedom from the daily toil and drudgery. I think like the sorcerer's apprentice, we got a machine going for us at that point called technology and now we don't know how to shut it off. We've been so released from the drudgery of life that we find ourselves inventing health spas so that the housewife can go there and get her figure back because she's not getting it anywhere else. Overall in our society, we have created a technology which has solved some basic problems we wanted to solve but now we can't shut it off. An ideology is going here which perpetuates itself over, and over, again so quality of life is now being called upon for a redefinition. I suspect one who says what it is is in essence offering you a recommendation. Think of it this way.

DR. KAUFMAN:

This is a very important point since religion may play a very important role in the international efforts at population control. Are the churches participating actively in a program of population control?

REV. SCHOMMER:

The reaction has been bad enough simply because we are teaching sex in school, much less... But I think in the long run what it really means is that it is not a sex education course, it has part of that. It's trying to help youngsters grow to be a fully functioning human being--to make responsible choices with some self respect and understanding of others, etc. But I think that that's a very small step. I think that, for example, I do not sit here as an official representative of the Catholic Church. I am not a theologian, I have some theological training. I do think the church has got a long way to go in addressing itself to quality of life. But the very word frightens me because it demands a standard and whose standard--what's quality? Does that mean that everybody is going to have what they want? That could be a quality of life. Or does that mean that everybody is going to have certain and well defined opportunities? And that can be a very fine thing. Now I think we ought to start it because we sure have not done enough to this point and I suppose when we talk about limiting or controlling population, I have some very strong feelings that this may be a necessity but, if we are doing it for that reason, I think we've got a job to do parentally because I don't think we've got a uniform quality of life. I think there are many people in our society that would not fit within our definition of bringing them to a better quality of life. I just don't know exactly what that term means, I'm sorry.

DR. KAUFMAN:

The church is still in the missionary field. Here is an effective organization which might carry some ideas of the limitation of population growth into the international situation. Mrs. Wechsler, is it not true that civil laws generally follow the attitudes of the public, the demand of society?

MRS. WECHSLER:

I think it's a complicated process. Sometimes the law lags way behind. Sometimes the law leads and I think that historically it has happened both ways. Particularly in the area of contraception, I think the law lagged behind and it was practice which brought the law to catch up to reality. On the other hand, if you look in terms of racial discrimination in this country, I think we can say that the law has led. I don't think you can generalize.

DR. KAUFMAN:

Might I ask then of the members of the clergy, if society finds itself seriously at variance with the church, will church law follow the demands of society? Perhaps the Rabbi, having presented a chronology of church law seemingly with very practical bases, would discuss this.

RABBI VANDERWALDE:

I don't know why you are calling on me. I'm not representing a church. I'm representing a synagogue or Judaism. And synagogue with us means something completely different than the churches. The synagogue is an institution. It's an institution that gathers us as people where we may represent our views and our opinions as we have them as to life and in every other way, but we are very strongly influenced by the concept of the family. And are very practical in our approach. We try to solve the problems that exist here on earth and we feel that within the laws that have been stipulated and that are still developing, we are finding somehow a solution for the problems, not all the problems and not every moment, but somehow we do and we don't find any kind of great difficulty to say to our people this is the fabric of the law that has been represented to us, you may fit into it or you may interpret it as the time goes on and as we relate to the time as such. This to us means life. So, rigidity, yes, you may find it to a certain degree but in actuality it's an explanation of what life confronts us with. When you speak about quality of life, that's very relative. What means quality to me may not mean quality to you. Quality is relative and whatever you want quality to be, that's quality, and this is the way Judaism tries to explain it.

MRS. WECHSLER:

I just wanted to make one point out of my experience in this particular field of population control and organized Jewish groups in the east. I think I'm right, Rabbi, that you are speaking of Orthodox Judaism.

RABBI VANDERWALDE:

Authentic Judaism.

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MRS. WECHSLER:

I take no position on it. But I just want to say that we in our work in this field have found that with almost all groups of organized Jewish religion, the reform groups in particular, the point of view toward population control and abortion and contraception appears to be very different from the authentic Orthodox biblically oriented position. For instance, we have been active in the last few months in two cases in the State of New York involving abortion. One case involved the question of whether the people on welfare would be eligible for abortion on the same terms as people who are not on welfare, the state administration having said, they would not use Medicaid to pay for abortion on the same basis as non-Medicaid people were free to get it--that was one case. And the other case involving the basic validity of the New York abortion law and the question of the right of the fetus against the right of the woman having the abortion. In both those cases, my firm represented a group of community organizations on an amicus curiae basis and the Federation of Jewish Charities was one of the groups in the State of New York supporting that position. So I'm simply stating that to indicate that there is a difference of opinion among organized Jewish groups regardless of which is "authentic."

DR. REISS:

I just want to make one point on history of religious and social conflict. I think typically what has happened in religious groups is that they are not at odds with society, they get co-opted. They may start out at odds with the political and economic institutions but in time they become supportive of them. Richard Niebuhr's book on sources of the nominations, points out the economic basis of the different Protestant sects and the ways in which the theological distinctions are of secondary importance to the economic distinctions that divide religions up. I think when you raise the question is religion going to remain in opposition to these changes, I think the answer is "no." They're changing on every front. The people who operate as rabbis, as ministers, as priests, grow up under the same social influences as the rest of us and the younger rabbis, ministers and priests tend to, for instance on civil rights, be more for integration, whereas I think 20 or 30 years ago religions would be much more segregated by race. In reform Judaism, you now have women as rabbis, and you are beginning to get that in other religions, so that they are changing with the times. I think we will always have a segment that will not accommodate but I think by and large the tendency to accommodate is one of the problems of religion, from the religious point of view. If religion is supposed to reform society, then it has to in a sense stay at odds with society but typically it doesn't. Typically it blends in.

ROY HYINK (Milwaukee):

I happen to be a research engineer in areas unrelated to population but as a layman I am concerned and probably one of my greatest problems is concerned with the area of contraception and abortion. Mr. Shier mentioned this point, I think it was you, about the fetus and what's the difference between abortion and contraception. This is of great concern to many people. I have heard a suggestion of a "myth" that really permeates all human thinking including religions, which I'd like to just state here. I don't know what the source is but I found it rather interesting and I'd be interested in comments. The "myth" is that the value of human life is not absolute, that it is on a sliding scale. To illustrate the point, if you'd perhaps ask what is the greatest crime of the decade, it might have been considered to be the assassination of President Kennedy because here was a man who had great association with many people. And at the other end of the scale is an embryo which has just been fertilized--it has had no association with anybody. On the sliding scale in between we find the subject of murder. We have first degree, that's when you have met the man face-to-face, I believe, all the way to manslaughter, which you had no association with him. And then, in the case of war, there is murder going on and it's condoned, etc. So it appears that the only thing that makes sense out of all this is that in reality all people look at life on a sliding scale in relation to how intimate and well acquainted you are personally with that other life, and that is the only criterion that we apply and we invent all kinds of other things in order to justify our stand. It's not so much a question, I guess, but that I'd like to have any other comments to help my thinking on it.

MR. SHIER:

Very often philosophers are accused of just playing with words and my conviction is that I don't know what else to play with. They're the only pieces we've got. If we're going to play the game, words are it in terms of how we can come to understand ourselves and certainly how we understand and communicate with others. I raised the question today about the kind of frustrating thing we get into with the abortion controversy when it finally reaches bedrock at the question, "Is the fetus human or not?" That seems to be a very substantial question. If the fetus is human, abortion is murder. If the fetus isn't, it's a simple medical procedure. So now we cast about to find some definition of "human" that will allow us to make this determination and we have about as many criteria of what we are going to count as being a human being as criteria for anything, I suppose. As a matter of practice, there are a great many things that we as members of this society are willing to accept as having more importance than human life. For example, we are willing to tolerate the death of some 55,000 human beings a year on our highways for the sake of having the value of private automobiles and transportation and this kind of thing. Insurance-wise, the death of a fetus is practically worthless, in terms of liability insurance. And one's value, insurance-wise, increases up until he's probably 40 years of age and the father of two or three children, at which point it once again begins to decrease, until you get to be 80 years old and at your death you are worth in terms of liability insurance the cost of the casket. We do assess it across the board in different ways and so I think the definition in operation of human being becomes much more crucial to us than the baptism of some artificial or ad hoc criteria as doing it once and for all. So I think I would second what I think to be the gist of your comment very strongly and would like someone else on the panel to respond.

DR. REISS:

Can I just make one comment. I think you still have the problem even if one accepts the continuum and says the value of life ranges from one to 99 and that one is the fetus. The question still comes up, is that weighting important enough for one to avoid having an abortion in order to prevent that degree of life? You don't get the answer to the question of whether one ought to have an abortion by classifying the fetus at the bottom of the scale. One still has to weigh the plus and minus factors on his own scale of values.

REV. SCHOMMER:

I found that to be quite interesting. I guess it's because I had never really thought of it just like that and then Mr. Shier has given some pretty valid examples of how that's true. But isn't this really then where religion comes in? You know, because what was said is an indication that the question is that the fetal life on the insurance tables has no value. As you get older, you increase in value, and as you get older and older, you decrease in value. And the way we look at highway deaths, etc. But isn't this precisely the point that religion must play. That we believe that the life on earth is not the only life we will experience and that becomes then a matter of faith. And that's relative from one person to another and from one theology to another. I think that brings in a very interesting point of view and perhaps really finds in my mind the need for man to address himself to the question of faith because there are times in our lives when we don't seem to have that much of a reverence for life or an understanding of life.

MRS. WECHSLER:

I really agree completely with what Rev. Schommer has said but this in my view is a philosophical and religious question primarily. I do not think this is a legal question or can be solved in legal terms. It seems to me that it is a question of the conscience, of the religion or philosophy of any individual as to how he regards this quality of life, whether it is a quality of life which should or should not be recognized and safeguarded and under what circumstances. Which leads me of course to a very different conclusion, I think, than some people who I would assume take the Roman Catholic view. My conclusion is that this is not a matter for the law but a matter for individual conscience and my quarrel with the law is that I think the law has attempted to legislate philosophical and religious matters for all groups in a way which I don't think is possible. Just one other comment for whatever it's worth--I don't think it solves any philosophical issues except it perhaps illuminates them to some extent and that is in our law, that is to say, in our American law and in the British law from which we derive a lot of our American law, abortion has never been regarded as murder and indeed there are some scholars who believe that abortion at common law was not criminal at all and that it became criminal in the course of history not for religious reasons but for medical reasons, in an effort to avoid operations which were dangerous. And this is thought by these historians to be the genesis of the common law rule that abortion was only criminal at quickening because that was felt to be the period at which it was most dangerous for the woman. Now whether this is sound history or not, I don't know. I haven't examined the history but there have been very learned works done on this and this is the conclusion many have come to. But certainly I believe there is no doubt that there has always been a distinction in our law between homicide in the sense of murder and manslaughter and abortion.

DR. KAUFMAN:

I believe historically that is correct. Abortion became illegal within the last 100 years and the laws were brought about to protect mothers, or prospective mothers, against the lethal effects of many abortions. Dr. Taylor, who is a physician, would like to comment.

DR. TAYLOR:

I would like to comment on that. I've heard that argument before and I question it on the basis that, why of all the dangerous medical procedures that might be performed electively, abortion alone was singled out for legislation.

MR. SHIER:

Part of the explanation, I think, for the existence of the position of the church against abortion, (speaking specifically, the Roman Catholic Church's stand against abortion) was not formally articulated at the present position of abortion from contraception on being immoral until 1869. Pope Pius IX reflecting in his decision another historical interpretation perhaps the discovery in the biological sciences in the mid-1950's, just a little over 100 years ago, for the first time that the woman played a role in the business of conception. Prior to this time, and this goes a long way to explaining the story of Onan and his sin of spilling his seed in the Old Testament, the view was simply that the sperm contained within itself all of the potentialities for new life. The man simply deposited or planted it in the woman and she simply nurtured and carried the seed but made no substantial contribution to this new human being herself. Thus we had the church adopting the position of Aristotle through the first 1200 years of its existence that the fetus was ensouled at 40 days in the case of a male fetus and between the 80th and 90th day in the case of a female fetus. There were male chauvinist pigs that far back, you see. St. Thomas Aquinas presents the doctrine of quickening and that doctrine was the basis of the church's position on abortion which allowed abortion as a moral alternative for women up until the quickening of the fetus, until 1869 when Pope Pius IX, reflecting primarily the discovery of the joint contribution of the male and the female to the process, made abortion a moral crime from conception on. This I think brings up one broader issue I would like to thorw in and that's simply this. I mentioned earlier that perhaps the notion of quality of life needed some consideration. I would suggest even more strongly, now that I reflect on it a moment, perhaps the puzzling term that we are all using with a certain assumption that we know what we are talking about today, is the term "life" itself. We certainly seem to be running out the loose ends of a definition of life in the light of recent medical advances. When is the patient dead in terms of making the body available for transplants? When is the seriously injured or terminal patient to be considered dead from the standpoint of withholding medical treatments of certain kinds? What of the other dimensions of life that we can now talk about; the psychological dimensions or the dimensions measured by psychological instruments? At what point is life not worth living even though the biological organism may be functioning? New dimensions have been added which never existed prior to 20 or 30 or 40 years ago and we're still operating as if we all know what we are talking about jointly when we use the work "life." I would like to see us back up as a matter of process.

SANDY KAHN (Student):

Rev. Schommer, you are talking about human dignity. I'm kind of hazy on that term, I don't see how a baby that is born to a peasant woman in Latin America that already has ten starving children can be called dignified or have dignity if the child has to spend most of his or her life eating trash out of a trash can. Would you object to seeing a law passed where abortion is legal and a person who wants an abortion may have it?

REV. SCHOMMER:

I also stated that the church's stand or teachings on the principles of human life and dignity are theological and religious or spiritual. So that fetus you describe being born to a peasant woman in South America who will probably have to eat garbage and so on, you are looking at it from the psychological and from the sociological implications. You know I can't argue that. But since I was asked to present the religious consideration, that fetus has a dignity because it has a future eternal life which we believe to be man's ultimate destiny. Now that's the Roman Catholic stand, it simply states that despite what type of a life it has here, and the church is not unresponsive to a quality of life, it's saying that the dignity derives basically from that.

MS. KAHN:

Does the idea of eternal life equate in importance with life in the present?

REV. SCHOMMER:

I don't understand exactly what you mean by that.

MS. KAHN:

If you're weighing life in the hereafter with life in the present, would it have equal importance?

REV. SCHOMMER:

No. The life hereafter would have a greater importance.

GAIL WINKLER:

I'd like to answer Dr. Taylor's question. I've done a little study on the history of abortion laws in the United States and the first one was proposed in New York in 1828. The same time the 1828 law was initiated against abortion, a little-known law was proposed but not passed which would have outlawed any kinds of operations except to save the life of a patient. Apparently our legislature at that time had very little respect for medical science. However, they did decide at that point that since many operations were necessary to save the life of the patient and that most abortions, at least they believed, were not necessary to save the life of the patient, they outlawed abortion and left other operations.

MR. JAMISON:

I would like to comment on Mr. Shier's talking about the semantics of quality of life, perhaps we might add in there, as we live it. Dr. Kaufman, in your opening comments to the panel, you talked about population control. Do you mean forced population control and is this a legal matter worldwide and who will be the enforcer if you have one to suggest and who will watch the watcher?

DR. KAUFMAN:

All of the points you raise are valid. The ethical aspects of population control are particularly sticky. The survival of the human race is an interesting philosophical question. Is man different from the lower animals? A great many lower animals have become extinct, why should man not become extinct? If we decide we want to be selfish and enjoy the earth with mankind as a group, do we then limit the numbers of man? If we do that, what are the ethical considerations in the matters of religion, of race, of enforcement, of voluntary compliance. These are all very, very important and difficult considerations.

JANE WALTER (interested citizen):

Just as a totally irrelevant item, I would like to ask anyone on the panel with the exception of Rev. Schommer, how many children he has?

DR. REISS:

How many children? I have three.

MR. SHIER:

One

REV. LEWIS:

None.

MS. WECHSLER:

I have one.

RABBI VANDERWALDE:

My wife and I have two.

DR. KAUFMAN:

And my wife and I have two. I conduct a continuing sociological survey with the students here at the university. If one counts the number of people represented by a class of 15 students and we consider the number of people represented by their grandparents, we count 100 or 150. If we look at the people represented by their parents, that is brothers and sisters, we count 60 or 70. If we look at people represented by the class, the number is lower still. There are changing attitudes and changing practices.

BRUCE BASHORE (from Madison):

Recognizing fully the panel's discussion of the relevant definition of quality of life, I'd like to raise the question and make a comment. The comment is that I think there are some guideposts and some realities that help avoid total confusion out of those relevancies. A few minutes ago we were asking who's going to limit population. We know what limits population, death and disease and illness do limit population for hundreds of millions of people, most of them children and old people. And the biologists are quick to point out that still will be the limiting factor unless we provide other policies. So I think that there is a sense of human dignity that we can derive from basic considerations of an ethic based on basic life sustaining factors of food and health and shelter and freedom from disease. And until the world's religions, and we in America especially, address ourselves to a universalizing of this standard of quality of living, we remain on a basically unethical and untenable stand. Now, I'm not too encouraged from the panel today that the religions in America are really concerned about that kind of universalizing factor, I'm wondering if there's any possibility that new generations will reject all the absolutistic stances, the revelationary stances of religion, and will insist that we do have very high regard for the value of human life and a very level of ethical concern in new forms of religion which will be based on realities, the relevancies, the practicalities of this life, this earth, and all people living as brothers? I hope that somehow the struggles for a new religion which eventuate something that we can give our full loyalty to, that will join us together in a way that religions used to, perhaps, but will reject the anachronisms, the irrelevancies and the absolutistic stance of our traditional religions. Can I have comment?

DR. KAUFMAN:

I think you have stated my earlier question better than I did. But you left out the one person, and perhaps the only person, who can make this come about. That is the individual. How do we influence him, through religion or through education?

GAIL GUMNESS (from DePere):

I wanted to comment on what the gentleman in the back said because he was going on my thoughts. Also, in regard to the question you asked and to Father's reply. I think when Father Schommer said that the church is concerned with the life hereafter that it occurs to me and maybe this is a myth or maybe it's just faith, that if we are truly concerned with life thereafter and what it really means to us as the church, and I would consider church not so much as structure but as grass roots and all of us being church. It would seem to me that if we truly are concerned with life thereafter, it would sort of follow, at least I hope that, we are very concerned with what's going on right now so I hate to leave that just the way it was said because to me right now is going to determine my hereafter and I hope that we all feel that way.

REV. SCHOMMER:

She asked me to place a value by comparison on the two lives and I simply answered her question. As I said before I don't think that the Catholic church has been the prime mover or the prime example in some areas of social justice. But at the same time, I think that there are many, many things on record from

Leo XIII's encyclical on social justice to the present time where the Catholic church does address itself on many, many things that our generations are concerned with. And, in response to the gentleman in the back of the room, I suppose it's difficult to appreciate the struggle that you might go through as a clergyman in one of the most traditionally steeped religions, and I don't mean it in the sense of always being hidebound but I think that this is one of the things that happens to the church as a social institution as it tries to address itself to each generation. It has to form a structure in order to help accomplish the ends to meet that particular period in time. Unfortunately, all too rapidly in this day and age, that structure becomes outmoded and then we have to wait for, in the case of the Catholic church, another council to come along, shake the grates and open the windows, etc., to try to help us be relevant again. I think I'm enough of a social scientist to say that maybe it's about time we build into the Catholic church, and I can only speak for that, the process by which it has an ongoing renewal. Structure is nothing but that through which we accomplish our goals, anyway. Couldn't we be doing this and we wouldn't have to wait a couple of hundred of years for the next council. Now, it's not going to come slow but I think what you said, if it doesn't come, I'm afraid some of the traditional churches, in that sense, are going to be left in the lurch. The other point is this, like most social institutions including the law, it's not changed by outlaws or by people from the outside. It's changed by people who are concerned and who are willing to get in there and pitch to get that thing changed and that means attitudes, that means education, that means a lot of things. Let's get at it.

DR. KAUFMAN:

Would some of our panel members comment on the responsibility of the individual human being in these considerations. I find it paradoxical that on our streets one regularly sees large elegant new automobiles and on one side of the back bumper there is "I support Little League," on the other side is "Abortion is Murder" and the driver aggressively and persistently drives 10 miles an hour over the speed limit. Would any of you comment on the responsibility of the individual in this matter?

REV. LEWIS:

This goes back to what Bonnie Dorn was saying earlier. I think it does come down to the ability of the individual human being to make those kinds of decisions that are necessary about what will be the size of his family unit, about any of the other things that go into making up a person's lifestyle. I think now the church can say whatever it wants to or anybody else whatever they want to, and I think probably to me this would be an influence on my making a decision. But it might not be for someone else. So I really don't know how to put it in religious terms but I think ultimately it does come down to the responsibility of the individual to do those things that are necessary in order to begin to solve some of the things we are talking about.

DR. REISS:

Well, when you ask people how many children they want, three is about the most popular number not only in America but generally across the globe. Now this changes, right now we are on a downward curve, it's probably a little lower than that now. What that indicates is that, even if you had contraception available and distributed and had abortion available, we still would have overpopulation because people want more children than our population experts feel the world can support and thus you do need more than simply contraception and abortion. It's interesting to note that the same people who favor use of contraception are very pro-family people. That is, pro-contraception people place a lot of value on the family, and this emphasis increases the desire for children. One way of decreasing the desire for children is to de-emphasize the family as the one role for the female. One can emphasize the female's role in occupational pursuits and other professions. I think that if anyone is concerned about population, then we have to decide what ways there are to reduce the desire for children and which of these ways are we willing to pursue.

DR. WENDEL JOHNSON:

I think we've been talking about individual effects and individual decisions and something that's going to be necessary really even though we may reach a point eventually where we have the availability and options for people deciding when and if to have children and that's to develop what I would like to call a population ethic. Many years ago, Aldo Leopold talked about a land ethic in considering our resources but a population ethic would have to be built around knowing a little about the various phenomena that go into populations. We can discuss them without discussing individuals. We can talk about age structure, we can talk about our birth and death rates and all of these give us an idea of the overall effect of population. I think it's important to develop a sophistication in our young people and throughout our population as to what happens when a population grows too fast or grows too slow and this is, I hope, a very legitimate discussion for a future symposium.

MS. DORN:

Dr. Reiss, because I know you do do some research in the area of understanding one's human sexuality, I felt rather hopeless about your presentation this morning because it didn't deal with trends in people being able to understand better their own sexuality. I feel that possibly the women's movement right now might liberate women to think of themselves as something other than a vessel for this planting that goes on and a way of thinking of themselves able to do something other than the couch scene that you described earlier this morning. Valuing who they are and discovering who they are. I'd like to know if anyone sees any hope for western males to understand their own sexuality rather than go on the compulsiveness that men seem to be laboring under.

DR. REISS:

Let me make one comment. I don't think that valuing sex in one particular way is ever likely to be the only way in a nation as large as ours. There are far too many people, we are much too complex for one sex code for all. We are going to have a variety of sexual codes and I would think one evidence of sexual understanding would be the extent to which individuals grew up and knew what these codes were composed of and chose in accord with their personal needs. I think in the past, you are perfectly right, a lot of males have been sort of compelled into sex by their upbringing which stressed that if they were a real man they'd have frequent sexual intercourse. Things are changing. You find, for instance, many fewer males visiting prostitutes and this is one sign that they're more desirous of relationships with someone they know and can talk to; someone who can do more than just copulate with them. So I think men are moving more in the direction of a choice and range of alternatives. Men are more willing now to express sexual problems. Even now, I think it is very unusual to discuss sexual problems in terms of men. Men aren't supposed to have any sexual problems. And yet when you talk to men, and ask: how did you first learn about masturbation, etc., and were there any problems, how did you first learn about intercourse, and were there any problems there; you find a high proportion of males have had difficulty. This too is changing. I think on the female side you really have a kind of difficult position. Surely, we're never going to get to the point where women's bodies are ignored. We are much more likely to get to the point where men's and women's bodies are paid attention to sexually. And I don't think we'll ever get to the point where no man will ever look at a woman and say, I would like to be in bed with that woman. I think we will get to the point where this won't be the only remark, the only thought that comes to mind, when a man sees an attractive female. He will increasingly look for other qualities. Relatedly, I think you're finding more women who will look for physically attractive qualities in males than in the past, and who will be looking for more than just an emotional relationship. I think the real importance of the pill is not as a contraceptive control because there are plenty of other effective methods and within a few years probably the pill as we know it won't be around. But I think what it did was put contraception in the hands of the female much more than it ever was before and that forces the female to make a decision--to decide about her own sexuality. I think there are signs that the female is coming to accept and understand her own sexual feelings. I give you just one example, in Prudence Rains' book Becoming an Unwed Mother, she mentions that at a permissive 4-year college outside of Chicago, new girls are taken by other girls to a doctor and put on the pill even if the girl is virginal and doesn't plan to have intercourse. Now, I don't offer that approach as a panacea, but I think what it indicates is that females are now concerned about their own sexuality and about controlling it in a way that they have not been before. I think we are getting more sexual openness on the part of females and that to me is a sign of greater choice, and greater awareness of what the alternatives are. Is that the sort of thing you had in mind?

DR. KAUFMAN:

The hour has passed. I would like to direct your thought to Dr. Johnson's comment on the population ethic and to my simple analog of the ants on the apple. If mankind insists on a family of three, we may increase the time until the apple is devoured, or the time at which we have added enough ants so that they begin to fall off, and the apple might rot before we get to that point. Does man face a dilemma from which he cannot escape? Thank you for your attendance.

SESSION THREE

Thursday, 23 March, Evening

SESSION CHAIRMAN

Assistant Chancellor Paul Davis

SPEAKER

Senator Joseph D. Tydings

Developing Public Policies for Population Stabilization

The Honorable Joseph D. Tydings

Senior Partner
Danzansky, Dickey, Tydings, Quint
and Gordon Law Firm
Washington, D. C.

"I do not wish to seem over dramatic but I can only conclude from the information that is available to me that the members of the United Nations have perhaps ten years left in which to subordinate their ancient quarrels on a global partnership to curb the arms race, to improve the human environment, to defuse the population explosion, and to supply the required momentum to development efforts. If such a global partnership is not coordinated within the next decade, then I fear very much the problems I have mentioned will have reached such staggering proportions that they will be beyond our capacity to control." Thus spoke U Thant, Secretary-General of the United Nations in 1969, almost three years ago.

Every person in this or any nation, in this community or any community, faces a series of individual personal problems and pressures, which demand his attention and action and efforts. These problems effect him and his family in different areas and in differing degrees of urgency. Some of our black citizens may spend much of their life just trying to survive in a ghetto or trying to find shelter for himself or his family. Others in a white middle class suburb may be concerned about planning and zoning, taxes, schools, still others about the power of his political subdivision or the city or the state in which he lives. Today many of our younger citizens worry about another war or the conclusion of the Vietnam war or an outbreak of war in the Middle East. Some of our civic leaders are concerned with crime and riots in his city, racial problems, violence on the basketball courts or gun control or the lack thereof in his community. Most of us, of course, concentrate on our own daily problems or those of our family and our day to day, month to month activities. Unfortunately too few of us are concerned with problems outside the immediate scope of our own neighborhood or beyond the immediate present. A small proportion of our citizenry is concerned with the overall problems of our nation, particularly when the time frame extends to more than three or four years, and tragically an even smaller percentage of our citizens are concerned with world or global problems, particularly those problems which extend beyond our generation.

It is for this reason I congratulate the University of Wisconsin at Green Bay, not only for this seminar, but more specifically for the fact that you have a college of human biology which is comprised, as I understand, of four concentrations or departments, population dynamics, nutritional sciences, growth and development, and human adaptability. It could well be that the efforts of this concentration or department could be the single most important contribution to the welfare of mankind being made in the University of Wisconsin or indeed in the Middle West. I congratulate you and am delighted to participate in your symposium here at Green Bay.

I have been assigned the topic of "Developing Public Policies for Population Stabilization." Parenthetically, I might say that before one holds himself out as an expert to speak on how to develop public policies, he should possess somewhat sounder credentials than the failure to secure re-election to the Congress of the United States. But be that as it may, you have honored me with an opportunity to express my thoughts and I intend to. For the purposes of these remarks, I will organize my thoughts into three component parts.

First: Do we need population stabilization?

Second: How should a national public policy of stabilization be structured.

Third: How do we persuade our citizenry and government to adopt this policy of stabilization.

To devote more than a few words in a group such as this on why we need a policy of population stabilization, I think is extremely unnecessary. Suffice it to say, we are dealing with a population explosion in this country and the world with geometric growth or exponential growth rather than linear or mathematical growth. A quantity exhibits exponential growth when it increases by a constant percentage of the whole in a constant period of time. Common as it is, this geometric growth is generally unnoticed, unappreciated by a substantial part of the educated citizenry of this country.

For the purposes of our problems here today, I quote an old French riddle for children which illustrates the awesome suddenness with which geometric or exponential growth limits appear. My own wife told me. Suppose you own a pond in which a water lily is growing. This water lily is a thriving, beautiful but multiplying plant. It doubles its quantity each day. Assuming for the sake of our riddle that if the lil were allowed to grow unchecked it would completely cover our pond in 45 days, therby choking off all other forms of life including fish life in the water. For a long time the lily plants seemed too few to worry about. So we decide to do nothing until it covers half the pond. On what day will that be? On the 44th day of 45 days, of course. We are in that type of predicament in the world today -- to a lesser degree in the United States.

I will not agonize over the problems of the growing shortage of finite assets in this country such as arable land, fresh water, metals, forests, indeed even our oceans. Nor will I enumerate the problems of our cities, the problem of pollution, the problem of quality of life in our community. I will state, however, to refresh everyone's recollection that if we were able to snap our finger and miraculously tommorrow persuade every family with a female of child bearing age to reproduce itself and no more, that is to say, to limit its size to unity or 2.1 children, it would still take until the year 2030 or almost 70 years before our population in this country would be able to stabilize itself, because we have such a high proportion of our female population in the child bearing age bracket. If the United States were to continue with an average of 3 children per family as existed in much of the 50's, this could result in over 300 million Americans by the year 2000 and almost a billion Americans a century from now.

Stabilization is mathematically inevitable in a nation with finite space and resources, even the United States. Being for stabilization should be like being for the laws of gravity. The principal question which seems to face those who are concerned is not whether to stabilize our population but when.

For the reasons hereinbefore enumerated our population stabilization policy should be a now policy. The longer we wait, the closer we come to that 44th day. Rapid population growth makes the solution of nearly all problems more difficult. The greater the percentage of our population, below the age of fifteen, the higher the cost of government, the less resources available, to repair our cities, to repair our environment, to finance state, national or local government. Consider that portion of the budget of New York City or the State of Maryland which goes to aid for dependent children of unemployed parents. This gives you a real grasp of the effect on the cost of government of rapid population growth.

We in the United States have a little bit more breathing space than those who live in Latin America, Asia, the Near East, and parts of Africa, but not too much more. If we institute a policy of stabilization now, we have a great deal more flexibility with the second part of our problem, namely, the actual structuring of this policy.

To summarize, I believe in the traditional libertarian or voluntary approach to achieve population stabilization. Certainly we have no experience in our nation except with voluntary approaches. Unless we exhaust the possibility of achieving stabilization by the development of effective voluntary means, the recourse to compulsion is inconsistent with the fundamental American System of maximizing individual freedom.

Notwithstanding my personal conviction for voluntary means, at this time and at this state of our national awareness, and education, it would be politically impossible to resort to compulsory techniques. Every political advantage goes to a program of voluntary stabilization rather than compulsory methods of population control.

If we now will agree that the public policy of the United States should be to voluntarily achieve population stabilization within this decade, I will present some thoughts on how we as a nation and a government must reach this objective. We must provide the program and resources to:

Research and develop completely effective and logistically manageable contraceptives and contraceptive techniques.

Organize and carry out an educational program to provide an awareness of the totality of the population problem to every student from elementary age forward and every adult citizen.

And finally organize and fund a service and delivery system for contraceptives so that every American woman (and man) is provided with an opportunity to determine voluntarily the question whether she brings a child into the world. In short our goal is to absolutely preclude the birth of an unwanted or unplanned child in the U.S.

This was the purpose, spirit, and thrust of the Family Planning and Service Act of 1970. I know, I drafted it, secured the co-sponsors and guided it through the Congress. Tragically although it was passed by the Congress, signed into law, it has not been aggressively implemented or funded.

I have the strongest conviction that we can voluntarily achieve population stabilization in this decade if we vigorously implement a program containing the three basic concepts I have just set forth.

Let me elaborate on a public program.

First and foremost, the public policy of the United States should be to emphasize, dramatize and conduct a program of research in every field of population dynamics. This would include study of demographic trends, social trends, reasons for large families, relationships between various communities and family sizes; as well as a concentrated crash effort to develop effective contraceptives, techniques and devices, our present state of knowledge insofar as reproductive biology and contraceptive technology is just barely poking its head out of the dark ages. Last year we devoted less than eight million dollars to developing a good contraceptive. The best contraceptive we have - the pill - still is unsatisfactory to a great many American women, including my own wife.

According to a study conducted by Charles Westoff of Princeton, and an associate between thirty-five and forty-five percent of the natural increase in U.S. population in a recent period resulted from births of unwanted children. A substantial, perhaps great majority of these unwanted children were born in families which could financially afford to raise them but whose contraceptive techniques failed. This merely illustrates the need for an effective fool-proof contraceptive and effective contraceptive techniques.

In the words of Mr. Ernst Michanek, the great Swedish Statesman, we desparately need:

"By means of intensified research on a global scale, to find a contraceptive technique that is logistically easy, effective, simple, one-time, reversible, trouble-free, culture-free, doctor-free, coitus free and inexpensive. We have no such method today."

We need a contraceptive which is good for the morning after. We need a contraceptive which we could use once a year. We need a reversible contraceptive -- one which doesn't get involved with religious restrictions. We need a contraceptive which is sufficiently logistically feasible that we would be able to go into the elementary schools and high schools throughout the United States and provide it for every young girl of child bearing age to prevent an unwanted pregnancy. This development is imperative. Unfortunately, the President of the United States through the Bureau of the Budget has declined to fund the authorizations in the Family Planning Services Act of 1970, my Bill, and indeed to meet the funding requirements his own Administration recommends. Prognosis for proper funding is not good.

The second stage of our policy should be a hard-hitting widespread, educational effort in every grammar school, high school, and, of course, college in the nation. Teaching the problems of population as well as the biology and information necessary for good sex education courses. In this day of maximum freedom, lowering ages of puberty, every child in elementary and high school, not only should know "the facts of life" but the implications of unwanted pregnancy and over-population. There should be a mammoth educational effort across the nation, funded by HEW with grants for media educational programs, citizens seminars, population institutes and population centers for study in our great educational institutions. In the Bill - authorized appropriated but not spent.

Let me say that we need an intensive effort by the media, fostered and supported by leaders of our government, and community, to emphasize the national responsibility of parents to have small families. These programs both directly and indirectly should point out the effect of continued population growth on the standard of living and the quality of life in our country. It should dramatize the relationship between population growth and pollution, standards of living, social disorders, problems of the cities, and all of the other concerns we have today which are directly related to over-population.

As a part of this educational program, I would hope that the Congress of the United States would adopt a resolution in favor of population stabilization. They were well on their way this year until the tremendous pressure engendered by "The Right to Life" lobbyists halted further consideration by the members of the Senate Committee on Health and Education. So unfortunately, the Cranston-Taft resolution is and has been for the time being stymied. This is the tragic result of ignorance, reaction.

Finally we must make certain of the universal availability of effective contraceptives through hospitals, maternity wards, schools, health clinics in every state and county and city health office. There should be no woman, no child, particularly a female child, in any part of our country be it the big city ghetto, the rural slum or anywhere in the United States who is not only afforded the opportunity to utilize an effective contraceptive but advised, encouraged, and persuaded to use such contraceptives at no cost to her or him.

In those cities and communities such as New Orleans and Baltimore, whose hospitals which have instituted a strong prenatal and maternal child care program, the effect in lowering the birth rate, particularly rates of illegitimacy has been dramatic. An effective program in every state and every city and every community will go a long way towards achieving population stabilization if not actually achieving it.

The current cost for providing medical family planning services including an average of two visits per year, supplies and recruitment and educational activities is about $60 per patient per year. The number of potential women in low income groups who would like to have contraceptive aid in order to voluntarily limit their families is estimated at five million women. The annual cost to provide services for these women would be 300 million dollars annually for an adequate national program.

At the time the Family Planning and Services Act was drafted, I specifically wrote into the legislation that all authorizations, both for the service program and the research, were over and beyond or in addition to the existing levels of funding scattered through the budget. Thus, the 110 million dollars authorized for fiscal 1973 for services was to be in addition to the 30 million dollars earmarked in the social security amendments which I introduced in the Senate in 1967 and the 35 million dollars for the OEO Program. Thus the total authorized expenditure for services in fiscal 73 was to have been a total of 176 million dollars not 300 million but a start. Unfortunately the Administration has seen fit to reduce this by 30 million dollars to a total of 146 million dollars for these programs. By rather clever manipulation in bookkeeping they have made it appear as though they are fully funding my Bill. Although they have reduced the Social Security spending amount from $30 million to 19 million and the OEO figure from 35 million to 15 million, they have increased my authorization from 110 million to 112 million, thus giving the outward appearance that they are increasing the program when in reality they are reducing it by some 30 millions of dollars.

There is considerable uncertainty over the future of the OEO Family Planning Program. Whether or not the funds that have been available through OEO for Family Planning Projects will continue to be available if and when these projects are transferred to HEW is also problematic.

Of the 110 million authorization for services in my bill for 1973, 90 million dollars was for project grants and 20 million dollars was for formula grants for the states. These formula grants were to encourage the states to set up within their State Departments of Health, active family planning programs. Unfortunately, not one cent of that 20 million dollars has ever been funded to the States and as of 1970 only a handful of states had appropriated any state funds for local family planning services. This is most unfortunate since it is the local projects which are experiencing the greatest difficulties in finding local support. More emphasis ought to be placed on encouraging states to appropriate their own funds to complement the federal effort and to initiate their own programs. The formula grant program was designed to trigger state and local action.

Insofar as funding of the research program is concerned, the Administration has used the same type of bookkeeping manipulation to cover up the tragic inadequacy of their research budget. Under the provisions of my Act, the authorization for research for fiscal 1973 is 65 millions of dollars. This was to be over and above the 28 million dollars for research in Title IV of the old Act. The 28 million dollars in research was the amount of the budgetary level prior to my Act, add it to the 65 it would be a total of 93 million dollars in research this year. Unfortunately the Administration is asking not for 93 nor even 65 but for only 44 million dollars or 49 million dollars less than my authorization plus the original program.

At the same time our civic leaders are not making sufficient effort to encourage private philanthropy to expand significantly in the field of family planning services. In order to facilitate the development of an adequate infrastructure for a national services program more of the large philanthropic institutions will have to move into this field.

Without a vigorous highly motivated nationwide effort to distribute contraceptives in every neighborhood hospital and school in the country, no program of population stabilization is going to work.

Now for the final portion of my speech or paper. How do we secure the adoption of these public policies in population matters? Well, first and foremost, of course, we must educate our leaders; public officials, business, labor, religious and civic leaders. This in and of itself is a rather interesting process.

In this nation, governmental policies are not legislated in a vacumm. One of the great weaknesses of the Democratic system and occasionally one of its great strengths is that major policy changes no matter how logical, rational or imperative cannot generally be achieved except in a climate of public opinion which permits such a change.

Short of a major war, or a great depression, most fundamental social changes in our country occur only because the education of the electorate has been such that an environment exists whereby a politician can both support or advocate such a change and not create such a ground swell of opposition as will cause his defeat. In the leadership process, from time to time, of course, there are public leaders who must sacrifice their political career to achieve the results he feels are necessary. John Kennedy's profiles in courage, describes some of the more heroic examples of sacrificed careers. The number of men willing to make that sacrifice vary from time to time and Congress to Congress. It is up to citizen opinion leaders such as yourselves and those like you throughout the country to increase ten fold your efforts to educate our community opinion leaders and create the climate for action by our public leaders. Our educational institutions, across the country can help by focusing on the crisis implications of exponential population growth in our country and the world. By this same process of education, you will reach our public officials.

Simultaneously, our media, particularly T.V. and our national governmental leaders ought to undertake a national campaign to educate every citizen on the dimensions and consequences of present U.S. and global population growth. The advantages of small families should be emphasized. The links between over-population and poverty. The links between over-population and crime rates. The links between fertility and pollution, the links between fertility and higher taxes ought to be high-lighted and emphasized again and again and again.

Unfortunately I think that a great deal of education needs to be done in this country with older members of the hierarchy of many of our great religious groups. Much of the opposition, much of the failure of progress in the field of population stability is due to the lack of education and leadership in the great religious orders, not just the Catholic Church but the fundamentalists in the Protestant Church as well. I would hope that Notre Dame, Fordham, Georgetown, as well as Southern Methodist, Wesley, the great religious colleges, would undertake seminars in this field and educate the top clerical leaders of the country. Withdraw the opposition of only a few of the leaders of our Church groups and a program of population stabilization will move forward with greater speed.

"Most persons think that a state in order to be happy ought to be large, but even if they are right, they have no idea of what is a large and what a small state. . . . to the size of the states there is a limit, as there is to other things. Plants, animals, implements, for none of these retain their natural power when they are too large or too small, but they either wholly lose their nature or are spoiled." Thus spoke Aristotle 322 B.C. His words have the ring of truth almost fatality, seventeen centuries later.

SESSION FOUR

Friday, 24 March, Morning

SESSION CHAIRMAN

Dr. Thomas B. Mowbray

SPEAKERS

Mr. Stephen L. Salyer
Dr. Ronald J. Pion
Dr. Jacqueline M. Falk

Commission on Population Growth and the American Future: A Member's Notes

Stephen L. Salyer, Member

Commission on Population Growth
and the American Future

Thank you. I feel a little like Joe Tydings last night saying I can hardly wait to see what I'm going to say. As I was leaving North Carolina to come up here, I had some second thoughts. The fellow on the radio told me it was 71° as I was driving to the airport, people were out on the tennis courts (where I sprained my ankle last week), all kinds of good things were happening. I stopped by the post office to pick up my mail and passed a woman in the hallway who I'd seen around town a few times but really had never had the chance to talk to. She stopped, looked at me and said "Aren't you that young fellow that's been serving on this population thing?" I said, "Yes, Ma'm, that's right." She said, "Are you Communist?" I guess that sort of summarizes the reaction I've gotten from some people. On the other hand, I've received much positive mail, notably from younger people in the country, and that has been both supportive and gratifying.

Since World War II presidents have appointed a great number of these commissions, committees, advisory panels, and so forth, usually at the rate of about three or four a year, to look into problems of national importance. Sometimes these groups have been appointed in a time of crisis--like the Warren Commission on the assassination of President Kennedy or the Kerner Commission on the causes of civil disorders, and their names have become household words. On other occasions they have been asked to provide technical information and advice to the President and to the Congress and they've gone scarcely noticed at all. Who remembers the Knight Commission on Libraries or the Kappel Commission on Postal Organization? Hardly household words.

On March 16, 1970, this varied list of "august panels" was extended by yet another entry--this time with the appointment of a Commission on Population Growth and the American Future. Twenty-four citizens, including four members of Congress, and John Rockefeller III as the chairman, were asked to do five things contained in the mandate that Congress provided.

1. to examine the probable course of population growth, internal migration and related demographic developments between now and the year 2000;
2. to examine the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;
3. to look into the ways in which population growth may affect the activities of Federal, State, and local government;
4. to assess the impact of population growth on environmental pollution and on the depletion of natural resources; and,
5. to look into the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources and other needs.

It's quite an all encompassing mandate, as we were soon to realize. With a limited amount of time and a limited budget, we were asked to do almost the impossible, to come up with a series of recommendations that made some sense. Well, two years later, almost to the day, our Commission is reporting its findings and recommendations to the American people, to the Congress, and to the President. Two of the three sections composing the report have now been made public, the first about two weeks ago which made front pages all around the country. I'm not sure if it made your local paper's front or not, but I was surprised with the coverage we got, particularly because there were no recommendations in the first section. It was purely our assessment of the problem in this country and its dimensions. Then last Friday, our story broke on the recommendations regarding childbearing and childrearing. Unfortunately, the recommendation which got the headlines in most places was the one dealing with abortion. I say unfortunately because the tendency is for that to grab the headlines and everybody says, "My gosh, this commission recommended that we liberalize our abortion laws," and they don't read the rest of the story. Or in fact in some cases the rest of the story wasn't there. The reporter didn't read the report and thumbed through to find the most controversial part he could and then made this the headline. Not minimizing the importance of this recommendation, I am saying we had a total of about 40 suggestions in the report, of which one was liberalization of abortion laws, and I think it would be a shame for the American public to view this group as the "abortion commission." The third part of the report, which deals with our suggestions regarding internal migration and distribution of populations within the country, should either be out today or tomorrow. I'm a little confused about specific days as we've been trying to get the most impact we could with the report, scheduling around the China trip and the Wisconsin primaries and all sorts of things. The story a week ago broke on the same day the President made his remarks on school busing so I know--at least if you were in the southeast--it was pretty difficult to get anything on the front pages. But today I'd like to talk a little bit about our report, what's in it and what's not in it and why in both cases. If you like, in the question and answer period, I'll be happy to stick my neck out and talk about whether this report is going to have any effect or not and I do have some strong feelings on that. It's often been true that the stimulation of an explorer or of a public spokesman is needed to bring public and governmental attention to a problem. Michael Harrington's book, The Other America, was said to have attracted the attention of President Kennedy in the early 60's and consequently turned the nation's eyes to the ugly domestic problem of poverty. Paul Ehrlich's work, The Population Bomb, similarly argued for the seriousness of issues surrounding rapid population increase.

Since the process of summoning support at times requires using the methods of exaggeration, however, the ardent explorer or zealous spokesman may not be the person best suited to define a problem's dimensions. Commissions have been one means to convert popular concern into private and public action. Gathering together a group of well known private citizens, each representing a constitutency or segment of the American people, to study a problem and to recommend measures by which it can be addressed, is a convenient way to legitimize an issue's place on the national agenda. Moreover, commissions often engender the support of politically potent individuals and groups in the country, not least of which may be their own members and those they represent. We are very hopeful, for instance, that our Congressional delegation will be able to help draft legislation to implement the commission's recommendations. I must add in all fairness that without a doubt some commissions have been appointed to delay taking more decisive kinds of action. I think these are the ones that we are all perhaps most familiar with. Even a holding action may perform at times a useful political purpose, though, promoting thoughtful rather than hasty response to complicated issues.

Our commission wasn't appointed because of any clearly perceived crisis of immediate proportions, but neither was its mission to offer purely technical advice. I would like to believe that the group was appointed because of the President's burning interest in the effects of population growth on the Nation's future, and that funds for our investigation and deliberation were approved by the Congress for similar reasons. I don't think that's actually what happened. I think the long term interest of a few individuals were probably more likely responsible--people like John Rockefeller III who's been the commission's chairman and put up some of the money for this conference, Daniel Patrick Moynihan, who perhaps hasn't gotten any credit for this but who was the man in the White House who was the liaison to the commission before he went back to Harvard and did a great deal to help us along, and other popular advocates like Paul Ehrlich and some of the other people who have been on the panel in the last day and a half. In fact, one of our conclusions early in our two years together was that we must not define the population problem in the United States in alarmist or in monolithic terms. Rather, we should actively dispel the notion that the problem was either of immediate crisis proportions at the one extreme or inconsequential at the other. Our interim report, released a year ago, said therefore: "In sum, what are commonly referred to as population problems can be viewed more profitably as environmental, economic, political and social problems that are aggravated by population growth and density...We regard population growth...as an intensifier or multiplier of many problems impairing the quality of life in the United States. The idea that population growth is the root of all evil is simply not demonstrable using the available evidence. Thus, we came to view population growth and distribution not as problems per se but as relevant when their impact could be demonstrated on other problems impairing the quality of American life. I'm trying to decide whether I should interject a little story. My stories often flop but I do think of one situation you might be interested in. We got a lot of flak from minority members in the country asking whether population policy was really a sort of genocide policy in disguise, and we gave a fair amount of attention to that, both in our deliberations and our hearings around the country, trying to react sensitively to these perceptions. I came across one story about one of the members of the commission who was formerly president of the World Bank, George Woods, who took a trip (a few years ago) down to Brazil to talk about their need for family planning. And he sat down with one of the high officials in the Brazilian government, a fellow from a military background who had assumed power under an interesting set of circumstances, and the fellow said, "Well, Mr. Woods, I appreciate what you're saying to me, and I buy the logic of your argument about the need to have family planning here in Brazil, but I really wonder what would have been the reaction of President Grant in 1870 had I come up to the United States and said: 'Mr. President, what your country really needs is family planning.' Grant probably would have offered me a drink and then said, 'Well, I don't really think so, Mr. Brazilian ambassador, in fact what we have on the top of our agenda is settling the west. We've got other things to do before we start worrying about the increase of our population.'" Well, whatever the logic of the argument, the fact of the matter is that in Brazil there's been a kind of pro-natalist policy and part of the rationale for that has been let's settle our western frontier. Now it hasn't happened. What's happened is the places that are settled have been getting more and more crowded. This is true of some of the other developing countries. But the same kind of philosophy is prevalent in many of our metropolitan areas where you find some of the more militant thinkers and leaders saying, "If we're ever going to have political power in the city or in this country, we're going to have to constitute a significant part of the population." This is the sort of arguments that we on the commission run into and I know Ron Pion has encountered it in discussing the ethnic makeup of Hawaii. This consideration is of prime importance. I wish it wasn't, but it is. And it's something that we have to respond to honestly.

We spent over $1 million attempting to demonstrate the impact of growth on other social problems and I think we made a reasonable start in that direction. As is so often true of an effort of this magnitude, however, we really only began the process of investigation which must go on if we are to make informed policy judgments, the kind of judgments I think that Senator Tydings talked about last night and when he was in the Congress. Our research will soon be published--there's going to be twelve volumes of it--if you want to shell out the money, you can fill up a new shelf in your home or office--and I think the serious scholars can look at those parts of it that are of particular interest to them. There will be a volume on political research, for instance. A volume on economic research, social research, environmental research, and so on. But I don't think I'll try to go through all our conclusions and findings today. There are a few that it may be important to mention and the conclusion of all those long studies--over a hundred of them--is what I would like to bring to you. In short, in no case did we find any persuasive reason--economic, political, social, environmental or what have you--why population growth should continue beyond that level which is practically inevitable because of the baby boom. We did find in numerous instances, however, that the solution of other problems would be made more difficult by further growth. Our conclusion was that the nation should welcome and should plan for a stabilized population.

Two examples of major research findings I think can demonstrate the argument that led us to this conclusion. Growth is almost as much a part of the American tradition as apple pie and motherhood. An extension of our conventional wisdom tells us that for economic growth to continue (and if you'd like to ask something about that, it's fair game for the question and answer period to ask whether economic growth is desirable or not) we must have an ever-growing population. Our research showed very effectively that this simply is not so. We don't have to grow any more in numbers in order to have economic growth, even in a traditional sense of measuring that growth. We used estimates based on a 2-child average family size and on a 3-child average family size in most of our research projects and this is a good bracketing of actually what's going on in fertility in this country right now. We've been fluctuating between those two parameters for some time. Our research went on to say that using these two projections of growth and a variety of economic assumptions, that the level of GNP (that sort of sum of all the goods and services produced each year) would be very similar in the year 2000 no matter which of the two projections we used. It's a startling fact to some people. In fact, GNP would actually be higher with the 2-child rate of increase for the next 25 years. Furthermore, for the next 30 years and beyond, our per capita income, which may be even a better conventional measure of prosperity, would increase more rapidly with the 2-child average than with the 3. Finally, considering the population increase of about 50-75 million (the Senator said 30 last night--that's a little lower than any of us expect) that will almost inevitably occur by the year 2000, even if we went to a 2-child average rather quickly, we could find no industry including diapers and beer and all these things that generally are very much related to the number of consumers that would not experience an increase in sales. Some industries, whose sales are particularly sensitive to increases in disposable income (including, unfortunately, some of the high polluting ones like automobiles--"get a few more horses in that thing and scoot on down the road"--motorboats, things of that kind), would experience far greater growth with the 2-child rate and the resulting higher per capita incomes. In short, using conventional measures and thinking about how the businessman was going to look at this report, we could find no economic argument that was convincing for why we should continue population growth.

I'll draw a second example from our research on "Resources and the Environment," the section on "Water." We found that water shortages, already developing in the southwestern United States, would spread eastward and northward in the next 30-50 years, given population growth and economic activity. The report states "Such deficits will spread faster if population growth follows the 3-child projection than if it follows the 2-child projection. This will occur despite large expenditures on water treatment, dams and reservoirs during the next 50 years." The commission concluded its assessment of the water adequacy saying: "Sooner or later water must be dealt with as a scarce resource. The sooner this is done, the fewer water crises will emerge in the years ahead. However, doing this will not be easy technically or politically. The rate of national population growth will largely determine how rapidly we must accomplish these changes. And few will like the austerity created by the need to conserve on something as fundamental as water."

While in no sense did our research point to immediate fiscal or resource crises, in most every situation the pattern of findings in the twelve volumes of material was repeated over and over again. They said no substantial gains from increased population growth, continued population growth, and on the other hand that there were actual benefits, short term and long term, to be realized by stopping growth. In almost all instances it would gain us more time to deal with the kind of tough social issues that we are facing in this country.

I think we should now logically ask just how difficult it is to stabilize population growth and by what means it might be accomplished.

In a national sample that the director of research for the commission was largely responsible for, Charlie Westoff along with Larry Bumpass at Princeton, they found that in a sample of married women in the reproductive age range, 44% of the births in the period between 1966 and 1970 were unplanned and that 15% of the births reported by women were unwanted. In further research we refined the notion of the unwanted child and concluded that it would be decidely in the interest of the affected child and mother, as well as for society at large, if we could eliminate this unwanted fertility. The goal of insuring that couples have only those children that are wanted seemed a reasonable direction for public policy and it became one guiding principle of our report. We discovered that if we could accomplish this one goal and nothing else, we would be about 1/2 to 3/5 of the way to the 2-child average necessary to eventually stabilize the size of the population.

Next, as has been widely publicized by those talking of a baby bust, and maybe there's been some reporting of this in the local papers, the population birth rate has dropped in recent months to the lowest point in our history. While we must exercise caution in analyzing such short-run figures (as a lot of demographers didn't in the 1930's when everyone was concerned about rapid population decline in countries around the world), it's nevertheless significant that the family size preferences of those young men and women born in the baby boom years are about 1/2-child on the average less than were those of their parents. If this trend continues and these preferences are realized, and only time is going to answer that, we will be just that much closer to the 2-child (replacement) average rate of growth.

Finally, the commission discovered that generally one of the most effective ways to indirectly affect the number of children that couples have and want to have is to increase their opportunities to enjoy other responsibilities and satisfactions. You've heard about this from a number of speakers yesterday. In many cases, these satisfactions and responsibilities have been denied large segments of the American people. This applies with particular strength to women and to the poor. While it is not difficult to get plenty of argument on this particular point, it was our conclusion that, in the long-run, programs for instance that enabled women to work (those women who want to work)--like proper day care would not encourage the birth of additional children in the long run. Moreover, increased investments in education and in job development and training for the poor would likely lead to smaller families by choice. The principle is well illustrated by the observation that the smallest average family size in the United States among any group, the last figures I saw, was among college educated blacks. The commission made it very clear in its own statement of priorities that even if the provision of day care or of better job opportunities proved to marginally encourage larger families, rather than discourage them, these efforts were so fundamentally important as to override the population growth considerations. There was a certain humility in what the commission expressed saying that population growth is a terribly important problem but it's not our only problem. In fact when looking at the future of this country, there may be other situations that will tear us apart unless we deal with them. We tried to say as forcefully as we knew how that this was not a commission concerned only with the numbers of people, but that we cared very deeply and primarily that every person have the opportunity to realize his or her full potential and worth as an individual.

There was a concern expressed when this commission was appointed that we would recommend "coercive" means of birth control. In every instance we rejected such proposals as being inconsistent with our legal and ethical principles. We looked carefully, for example, at the number of possible tax mechanisms which might be used to encourage fewer births. You may have heard of a fair number of these plans to tax the third child, the fourth child, or whatever. We could not find a single tax proposal that did not risk passing the burden of the tax from the parent, who had the child, to the child and we had no desire to recommend any measure which might penalize helpless children for the decisions of their parents.

In essence then our recommendations regarding childbearing and childrearing sought to do three things: First, to give every sexually active individual in society the power to control his or her own reproductive processes, hence to avoid unwanted childbearing; second, to neutralize insofar as possible and where it was consistent with other values, those legal, social, and institutional pressures which historically have, we found, been pronatalist in character, encouraging larger families; and third, to improve the quality of the setting in which children are raised. Realizing that the full report and the recommendations have had some publicity (and I hope will be getting more), and that they will be available soon from the government printing office in Washington, I'll mention only a few of the major points and I hope that if there are others that you would like to know about, that you will bring those up in the questions.

In the effort to eliminate unwanted childbearing and to promote individual choice in reproductive decision-making, we recommended that population, parent, and sex education be created and put forth for all ages. We had a tough time with this educational problem because there were so many people that gave us so much contradictory advice. We had those that came and said, the essential thing is to get in the schools the idea of how you keep from getting pregnant. And that's all that's important. You know, you get in a health class and start talk about the family and everybody goes to sleep. If you really want to get the fundamental information across, then just hold up the contraceptive and tell them how to use it. "Reproductive plumbing," as some people call it. There are others who said, you know that's politically impossible, you just can't get education on contraceptives in the schools so maybe the best approach is to have population education or population/demographic education (it comes by a thousand other names). The essential thing is to make people aware of how their own decisions fit into a societal framework, that my decision on how many children to have and the decision of the people next door and down the street is going to dictate some things about the way the country grows. People need to feel that personal responsibility for societal relationships. On the other side, people said, that's really pretty tough to do. In countries that have had declining populations or worried of declining populations in Europe and in Scandinavia, there hasn't been much luck with trying to encourage people to have bigger families through education and propaganda. So why is there reason to believe that we can discourage people from having larger families, using the same means. Good question, we don't know.

Then other people were concerned about family education, about education that incorporated a concern for the sexuality of individuals, so that they could move beyond some of the problems and hangups that they have in this regard. The commission very neatly and I'm not so sure profoundly divided the education section of the report into three neat sections--population education, parent education, and sex education. And essentially we said all of these are important, that funds should be made available to local school districts, to community organizations and others who are interested in the matter to do experimentation, to develop materials to do this and to do that. Kind of a shotgun approach admittedly, but it was as fine-tuned as we felt we could do sitting in Washington and trying to look at a very diverse country and determine what its needs were.

Secondly, we recommended federal support for the provision of contraceptive supplies and information to those now desiring that information and those supplies but unable to obtain such services and information because of cost. In our recommendation we expanded a little bit the traditional idea of the poor and how big a group that was. We tried to include in our projections the "near poor" and to say that there were large numbers of people, perhaps more than 5 millions in the country, for whom access to contraceptives was not a reality and that it should be an issue of public policy to see that they do have that access where they want it. Much of that is contained in the Tydings Bill that was passed in 1970 by the Congress and which has never been funded quite at the levels that were authorized. We, as a base point, recommended immediately full funding for those programs in the Tydings bill. Thirdly, we recommended the passage of laws particularly allowing minors to receive contraceptive counseling and services. We discovered a whole range of situations that physicians and other people working with minors were hesitant to deal with their problems because of statutes, many of them on the books for a hundred years or more, prohibiting this kind of service. Fear of law suit, malpractive, civil assault, contributing to the delinquency of minors, and other kinds of laws and we felt it was important that states specifically have affirmative legislation on the books that said, yes, doctors, you can treat these people. They do have needs and those needs need to be met.

Fourth, we recommended liberalization of abortion statues by states along the lines of the New York State law. I can give an entire talk on what we went through coming to that recommendation. Suffice it to say that we had 24 individuals who all came with their own moral standards, their viewpoints on this issue when we started. We argued and we persuaded and we did most everything we could to try to come out with a consensus on this issue--and we didn't. We had five dissenting statements on the recommendation. Two people said that they could not go along with the recommendation on abortion under any circumstances and three said that they favored a sort of middle level law, a law like the Law Institute proposal, which several states have enacted, which permits abortion under a prescribed set of circumstances. They could not go along with abortion on demand. When I came on the commission I had no fixed view of abortion. I'd never seen an abortion, which I have since then. I really didn't know much of what was involved medically, ethically, legally or whatever and so I made an effort to acquaint myself with what was involved. I was very persuaded by one piece of research that was done for the commission by Daniel Callahan, an ethicist in Hastings, New York, former editor of Commonwealth Magazine and quite a bright fellow, which essentially laid out the ethical issues regarding abortion in a way that made a lot of sense to me. He talked about the ethical problem with destroying fetal life. And he talked about the ethical problems associated with a woman not having control of her reproductive process. He talked about the ethical problems associated with the unwanted child, and so on. He tried to set up a kind of scale against which to view some of these things in historical perspective. We were so impressed that we had Mr. Callahan come down and talk to us. Additionally, some of the legal analysis that we had done showed essentially that these middleground statutes which say in case of rape, incest or the health of the mother, "health" is interpreted so broadly that essentially there is no way to enforce it. So what you do is put a statute on the books that's a sham and unenforceable. I guess it's my feeling that there are enough statutes on the books that are unenforceable. The realistic choice is either to prohibit abortion entirely, except in case of the life of the mother being impaired, which is more specific, or else liberalize it and make it available upon demand, subject to proper medical procedure. In light of all of this, I voted with the latter camp. But this was a terribly tough thing for the commission to resolve and it's impossible when you put out a report to convey the kind of soulsearching that went on.

Fifth under the effort to eliminate unwanted childbearing and promote choice in reproductive decisions, we recommended the elimination of the laws and administrative practices making access to voluntary sterilization difficult and in some instances impossible. Some of the same issues are involved here as in access to services by minors and which were dealt with in some detail yesterday. Essentially, we wanted to reassure physicians through positive legislation, that they would not be subject to malpractice suits for doing sterilizations. Now to neutralize the legal, social, and institutional pressures our main recommendation (and I'm happy to say this is one that has already been acted on by the Congress) was the adoption by the Congress and the States of the proposed Equal Rights Amendment to the Constitution and that state, Federal, and local governments undertake positive programs to ensure freedom from discrimination based on sex. This measure was passed by the Congress two days ago, I understand, and Hawaii and perhaps a couple of other states have begun the ratification process. As we found with the Civil Rights Amendment, there is no guarantee that anything is going to change when you put an amendment on the books but I think what it does do is to make an affirmative statement that this society is determined that people regardless of sex are going to have the same opportunities, the same alternatives open to them. This is something the commission, for all kinds of reasons, most of which had nothing to do with demographic factors, was extremely concerned about.

To ensure that children are raised in a high quality setting we recommended several things:

First, that child care programs be made available for all families wishing to take advantage of the service. This would be more than custodial in scope, giving attention to the child's physical, nutritional and educational development. We were very aware when we made this recommendation that there were several proposals before the Congress, one of them House of Representatives Bill 1 "President's welfare proposal" which called for day care of a custodial nature requiring people on welfare to work and providing custodial day care for their children. This was in all cases except mothers with children under three. We first of all didn't like the tone of that law and we said that we didn't like the idea of forcing mothers to work if they wanted to stay at home with their children regardless of their situation, that they should have that option the same as any woman. On the other hand, we saw the problem that already exists, the problem of millions of working women in the United States who don't have anything to do with their children when they go to work, who have to work, who want to work, and we saw that day care facilities for those people was critically important. We've got a whole series of problems relating to children who come home after school, a sort of latch-key situation, with nowhere to go until their mother comes home from work, wandering about, as well as children who don't get the proper nutritional, educational and physical development in early childhood that could make them full people in later life. So we felt for all kinds of reasons that day care was a sound investment. I might add, a very expensive investment. We're talking about literally billions of dollars here and I'm sure that this is a debate that's going to go on and won't be resolved for some time.

Secondly, in this section, we recommended that discrimination against illegitimate children be ended in law and in custom. Once born, every child is legitimate and should have equal rights with every other person. This is one I felt very strongly about. I've never been able to understand what an illegitimate child is. People are penalized for the circumstances of their birth in this country and in other countries and have been for a long time historically and it just doesn't make any sense to me. A person is born, he should have every opportunity to develop to his full potential as a human being. He should not be penalized for what his parents did in creating him once he's born. I think we should do everything possible, as I indicated before, to see that unwanted, unplanned children never come into the world. But if they do come, then they should have every opportunity. I hope that this recommendation will be expanded on by states in their legislative practices as well as by the Congress.

Thirdly, we said that we should assist those parents wanting to adopt children but who are unable to assume the full cost of raising them. Now what we found was that in a number of states programs were underway that would make small allowances to parents who would adopt children from the large residuals of unadopted children. Oftentimes these are parents who may already have two or three children and who really don't feel that they can afford the burden of another child, even though they would like to have the other child. We said, if they want to adopt, they should be able to adopt. Now a lot of people say, gee, this is going to cost a lot more tax money. Well, it's not. In fact, it will save us money. The reason is that society is already spending an extremely high amount on foster home care for these children. I can't recall the exact figures but it's something in the neighborhood of $1500-2000 per child each year to keep these foster homes open. By giving a small subsidy to a family, you not only improve the environment in which the child is raised but you also save tax money and eventually close down some pretty inadequate foster homes. Some have charged that population limitation policies are anti-child. Our commission's document is distinctly pro-child. Many contend that birth control policies will limit individual freedom; I think we labored reasonably to expand the freedom of all people to control their own reproductive behavior as well as to enhance educational and job opportunities especially for women, for minorities, and for those living in declining rural areas, which would be contained in our report on distribution of the population. A number of people have written me since the report has come out, and some of the mail has been pretty hostile, that population policies disregard the importance of human life. It was our purpose in every instance to achieve the highest regard for life, particularly by making it possible for each person to realize their full potential. Ours is not a perfect prescription for the nation's ills, nor is it some kind of a manifesto for the greening of society. It is, I believe, a reasonable statement of some first steps, within our power to take, now, not tomorrow or ten years from now, that can push us toward the fundamental question of this society like every other society and that is, how to promote the richest kind of experience for all of its members. If we were really to have this become our guiding concern, our principle to follow, it's my conclusion that the fears that I and others have for the future of this country and of the world would be paled by comparison to the kind of promise and the challenge that would lie ahead.

*Themes and Highlights of the Final Report of the Commission on Population Growth and the American Future

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The Commission on Population Growth and the American Future

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This report represents the official views of the Commission, particularly as to the listed recommendations. Clearly, in the case of a Commission with such diverse membership, not every Commissioner subscribes in detail to every suggestion or statement of policy.

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POPULATION AND THE AMERICAN FUTURE

Because of the pervasive impact of population growth on every facet of American life and its implications for the quality of life, the Commission has concluded that the time has come for the United States to adopt a deliberate population policy.

The United States today has a declining birthrate, low population density, enormous amounts of open space, and population leaving the central cities--but that does not eliminate the concern about population. This country, or any country, always has a "population problem" in the sense of achieving a proper balance between size, growth, and distribution on the one hand, and the quality of life to which its citizens aspire on the other.

Population issues involve virtually every aspect of our national life and hence any policies to deal with them must be correspondingly broad. But population policy is no substitute for social and economic planning and development. Successfully addressing the population problem requires that we also address our problems of poverty, sex discrimination, minority discrimination, careless exploitation of resources, environmental deterioration, and decaying cities.

The concern about population is as complex as it is consequential. There are no simple or immediate solutions. An attitude of indifference or complacency is unwarranted; so is the cry of early catastrophe and crisis.

In proposing this Commission to Congress in July 1969, President Nixon said:

> One of the most serious challenges to human destiny in the last third of this century will be the growth of the population. Whether man's response to that challenge will be a cause for pride or for despair in the year 2000 will depend very much on what we do today.

We have been asked to assess the impact that our growing population and changing patterns of settlement will have upon our government, economy, natural resources, and environment, and the various means by which our nation can achieve a population level properly suited for its resources and needs; and to make recommendations regarding a broad range of problems associated with population growth and its implications for America's future.

Our mandate is broad, reaching, in one way or another, into practically every aspect of American life. But, our perspective is population. Out of our deliberations have come major findings and recommendations that deserve careful consideration by this society and its government. Regardless of diverse approaches to the matter--whether one puts personal freedom or minority concerns or ecological balance at the center--the following points emerge.

Findings and Conclusions

The United States has a number of "population problems" that need close and continuous attention; two out of three Americans believe that the matter is "serious."

No substantial benefits will result from the continued growth of our population beyond that made almost unavoidable by the rapid growth of the past. On the contrary, it is our view that population growth of the current magnitude has aggravated many of the nation's problems and made their solution more difficult. The Commission believes that the gradual stabilization of population--bringing births into balance with deaths--would contribute significantly to the nation's ability to solve its problems, although such problems will not be solved by population stabilization alone. It would, however, enable our society to shift its focus increasingly from quantity to quality.

The nation has nothing to fear from a gradual approach to population stabilization. We have looked for, and have not found, any convincing economic argument for continued national population growth. The health of our economy does not depend on it, nor does the prosperity of business or the welfare of the average person. In fact, a reduction in the rate of population growth would bring important economic benefits, especially if the nation develops policies to take advantage of the opportunities for social and economic improvement that slower population growth would provide.

The Commission believes that slowing the rate of population growth would ease the problems facing the American government in the years ahead. Demands for governmental services will be less than they would be otherwise, and resources available for public support of education, health, and other governmental activities would be greater. However, it would be a serious error to read these conclusions as comforting and reassuring. Under the most optimistic assumptions, at least 50 million more people will be added to the United States population before the end of the century, increasing the demands on governmental services and making more difficult the achievement of a participatory political process responsive to contemporary conditions. More important, these added demands and complexities will fall on governmental structures and processes already severely burdened--many would say overburdened--by the problems facing the nation.

In this framework, we must face the fact that Americans have suddenly become a metropolitan people. In 1970, nearly 70 percent of the United States population was metropolitan--the figure will approach 85 percent by the year 2000. For better or for worse, we are in the process of becoming an almost totally urban society. Most metropolitan growth now results from natural increase, not migration. Thus, the trend toward bigness of metropolitan areas, if undesirable, cannot be substantially checked except as national growth is slowed or stopped.

Migration is from low-income rural areas and abroad to metropolitan areas, from one metropolitan area to another, and from central cities to suburbs. Nearly 40 million or one in five Americans change homes each year. About one in 15, a total of 13 million, migrate across county lines. What is needed is guidance and assistance.

Along with the burgeoning urban problem is another of equal complexity and size: resources and the environment. Population growth is one of the major factors affecting the demand for resources and the impact on the environment in this country. From the standpoint of both resources and environment, considerable benefits would result over the next 30 to 50 years from a prompt reduction in our population growth. This conclusion emerges with particular clarity with regard to water, agricultural land, and outdoor recreation. Over this same period, we can, if we have to, solve the environmental and resource problems created by population growth, but we may not like some of the solutions. Continued growth incurs increasing risks, for we will be forced to adopt solutions to the consequences of growth before we understand their side effects.

Even a one-child difference in average family size makes an enormous difference over the decades. A century from now, with continued immigration, the two-child average would result in a population of 350 million, while growth at the three-child level would result in nearly a billion.

Demographic events have the quality of persisting over time--for example, the baby-boom generation born after World War II is still working its way through the age structure, with many repercussions. In view of its effect on the age distribution and the accommodations thus required, sharp shifts in most demographic trends are undesirable. Whether or not fluctuations occur, a slower average rate of population growth will result in an older age composition, with the problems of the aged in somewhat sharper relief.

It takes a long time to affect population growth rates in a democratically and ethically acceptable manner. Even with a two-child average from now on, it would take 60 years or so to achieve a nongrowing population. But precisely because the lead time is decades in length, it is necessary to face the issue now and come to deliberate and informed decisions about population problems--their burdens, their costs, their remedies.

Slowing population growth in this country is everyone's affair: All segments of the society should participate; all segments will benefit. The major contribution to growth now comes from the advantaged majority in our society. Because of their smaller number, our "have-not" groups--our racial and ethnic minorities--do not bear the primary responsibility for population growth, and inducing them to limit the number of children they have would not in itself stabilize our population. However, there are strong connections between high fertility and the economic and social problems that affect the 13 percent of our people who are poor. Therefore, we recognize that unless we address our racism and poverty, we will not be able to resolve the question of population growth for our racial and ethnic minorities. As deprived groups are brought into the educational, occupational, and residential mainstream, their fertility will probably decline to the level of the people already there.

In every society, there are norms of behavior that affect fertility, and every legal structure contains (usually inadvertent) regulations that encourage or discourage childbearing. As nearly as we can tell, the social and legal pressures in the United States, while present, are not particularly powerful one way or the other; but on balance, the pressure is probably toward childbearing.

There is a serious problem of unwanted fertility in this country. Making it easier to avoid unwanted childbearing will make a substantial contribution to the lives of the people involved as well as to slowing growth--and in any case, it is consistent with American values and desirable on that ground.

Illegal immigration is more troublesome than legal immigration, and is numerically substantial. As for legal immigration, that is indeed a contributor to population growth; but, for many people, traditional political, cultural, and humanitarian values outweigh demographic considerations.

Our population will stabilize as the American people challenge the traditional assumptions of growth and appreciate what is at stake, both for the individual family and the society at large. Zero population growth is best understood as an average accommodating small fluctuations and not as a fixed rate. The average of two children per family, which would yield zero growth over the long term, can be reached through many different combinations of proportions married and of different size families. Indeed, such diversity is itself highly desirable. And if our annual rates fall below the two-child average for some periods of time, we should not react with alarm, but rather should recognize that this will hasten the advent of stabilization.

We view population policy not as an end in itself, but as a means to facilitate the achievement of social goals desirable in their own right. Above all, the Commission wishes to emphasize that the objective of the policies we advocate is the enrichment of human life, not its restriction;

that the control of reproduction, by assuring greater opportunity to each person, frees man to attain his individual dignity and reach his full potential. Recognizing that the great majority of parents desire to have the knowledge and the means to plan their families, the Commission believes that the resolution of population problems can and should be based on voluntary action determined by the individual's own best interest.

Policy Recommendations

In the light of its two years of deliberation and based on the substantial research it contracted, the Commission reached a number of conclusions and recommendations. These recommendations speak simultaneously to population issues and other social values important in their own right. In the broadest sense, the policies recommended aim at promoting desirable social conditions by increasing opportunities to exercise freedom of choice. At the same time, the result of such policies would be to slow population growth and hasten the advent of population stabilization. Their implementation depends to a considerable extent on the attainment of the necessary funds, organizational change, and research, the details of which are elaborated in the full text.

The Commission recommends:

In order to better prepare present and future generations to meet the challenges arising from population change, the federal government should enact a Population Education Act to assist school systems in establishing well-planned population education programs.

In order to maximize information and knowledge about human sexuality and its implications for the family, we should make sex education available through responsible community organizations, the media, and especially the schools; and similarly we should seek to improve the quality of education for parenthood throughout the society.

In order to improve the opportunities available for children, we should develop maternal and child health programs, provide adequate childcare arrangements for parents who wish to make use of them, eliminate discrimination against children born out of wedlock, and reform adoption laws.

In order to neutralize the legal, social, and institutional pressures that historically have encouraged childbearing, as well as to equalize opportunities generally, we should eliminate discrimination based on sex by adopting the proposed Equal Rights amendment to the Constitution.

In order to enable all Americans, regardless of age, marital status, or income, to avoid unwanted births and enhance their capacity to realize their own preferences in childbearing and family size, we should:

Increase investment in the search for improved means by which individuals may control their own fertility.

Extend subsidized family planning programs.

Liberalize access to abortion services with the admonition that abortion not be considered a primary means of fertility control.

Extend and improve the delivery of health services related to fertility--including prenatal and pediatric care, contraceptive services, voluntary sterilization, abortion, and the treatment of infertility--through public and private financing mechanisms.

In order to regulate the impact on population of migration from outside this country, we should not increase the present levels of legal immigration and we should stop illegal immigration.

In order to provide a framework for regional, state, and local planning and development, the federal government should develop a set of national population distribution guidelines.

In order to ease the problems created by population movement, we should develop programs for human resource development, counseling and assistance on worker relocation, and a growth center strategy to promote job opportunities in depressed areas.

In order to facilitate the accommodation of population movements, we need comprehensive planning on a metropolitan and regional scale which could be facilitated through greater public control over land use and the establishment of state and regional planning agencies and development corporations.

In order to increase freedom in choice of residential location, we should extend governmental provision of suburban housing for low- and moderate-income families and should take effective steps to promote genuinely free choice of housing within metropolitan areas on the part of racial and ethnic minorities.

In order to strengthen the basic statistics and research upon which all sound demographic, social, and economic policy must ultimately depend, the federal government should move promptly and boldly to implement specific improvements in these programs.

In order to improve the federal government's population-related programs and its capacity to evaluate the interaction between public policies, programs, and population, specific organizational changes should be made. These include the creation of a National Institute of Population Sciences within the National Institutes of Health, and an Office of Population Growth and Distribution within the Executive Office of the President.

And finally, this nation should welcome and plan for a stabilized population.

What matters ultimately is the impact of population growth upon the quality of American life; changes in population are merely the means to such a goal. Does this country want to continue to invest its resources simply in meeting more demands for more services, more classrooms, more hospitals, more housing, more roads, more everything...as the population continues to grow? Or should we concentrate our energies and resources on improving the quality of such services and extending them to those for whom such quality is at best a hope rather than a fact? The population problem is the problem of achieving, consistent with political and ethical standards, a lasting and constructive balance between numbers of people and an evolving definition of "the good life" in this country and the world.

We end as we began: Our country can no longer afford the uncritical acceptance of the population growth ethic. Given the whole trend of human history to the contrary, that is not an easy lesson to learn. The growth ethic seems to be so imprinted in human consciousness that it takes a deliberate effort of rationality and will to overcome it, but that effort now seems necessary. The recommendations we propose are worthwhile for many reasons as well as appropriate to steering a prudent demographic course into a future filled with uncertainties.

*Sexual and Reproductive Planning in Family and Non-Family Units

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"Every act of heterosexual intercourse (coitus) must be preceded by a conscious act of voluntary contraception, unless a pregnancy is desired by the couple, and they are anxious to rear a child."

My remarks are based primarily on an article that was included in a monograph concerned with the reproductive problems of adolescents. Some of the thoughts put forth at that time are appropriate for your consideration today. Trying to improve the sexual and reproductive health of individuals and couples continues to be the central theme of my involvements.

The recent furor over whether or not sex education is a suitable topic for the classroom is but another indication of the "dirty mindedness" of some adults. This is not to say that all adults who show concern deserve this suggested description. Many who are tempted into joining certain organizations in the name of "keeping America, American" are confused, misinformed and made terribly anxious by the clever, but oftentimes vicious mailings they receive from a number of self-appointed saviors of our heritage. The monies collected and spent along with the much misdirected energies could be diverted to so many other more visible needs. I find it embarrassing to observe elected legislative officials within numerous state capitols wasting valuable time debating such nonsensical issues as, "Is the school house the place to teach raw sex?" A single, recurring fantasy fills my mind in response to feelings of mounting exasperation experienced at such moments. Why not transport those adults in "foreign" countries who believe that sex education is a demeaning capitalistic plot, together with those in our own country who are certain that rock music, flouridation, mental health clinics, sensitivity training and sex education are indeed attempts by the communists to "blow the minds" of our otherwise innocent youth, and place them on some isolated island, weapon-free, where they could then happily or even angrily continue their debate ad nauseum. The sad truth, of course, is that while the debate continues, so does the flow of misinformation and confusion. Sex education does go on--not in the school house, but behind it.

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Inevitably there will be concern voiced by some that the action I advocate might lead to rampant promiscuity and general moral degeneracy. If, indeed, these latter conditions should some day prevail, especially among the "adolescents" of our culture, I feel that an effort on the part of adult society to provide rational information and responsible services will have played the smallest part, if any, as an etiologic mechanism. The woeful lack of knowledge concerning human sexual and reproductive behavior which many of us have an opportunity to document daily in our clinical practices, will continue to account for the largest number of tragedies observed.

There is no evidence, for example, to support the notion that contraceptive availability per se leads to increased sexual activity. Certainly, a number of adults who in their youth based their own moral decision on a fear-of-pregnancy principle might be at a loss to provide other salient moral arguments when queried by the youth of today. There is good evidence to support the fact that sexual activity before, during and after marriage was (and is) a not uncommon practice in many cultures despite contraceptive unavailability. The technologic advances made in the field of contraception thus far, and those yet to be made, offer an opportunity to make realizable a moral goal of planned human conception. This goal can be achieved only by an organized effort on the part of our adult society. The question for some, it would seem, is whether this is a worthwhile goal. It is difficult for me to respond in other than a strong, affirmative manner.

The problem of continued, uncontrolled population growth demands our priority response. It seems senseless to engage ourselves in arguments as to whether our world is now overpopulated. Of course it is, in the sense that many human beings live within it in a substandard fashion. Social problems are visible everywhere. Increasing "people input" during the next 3 decades will not help solve our problems, but only aggravate them. Planning for future population growth and its distribution will not solve all of our problems either but will afford us some time in which to work towards their solution. Although a sense of crowding is presently apparent in many of our own urban communities, and as such has qualitative similarities to communities elsewhere in the world, the general quantitative problem of growth increase is more acute in some of the lesser developed countries. This latter fact has been a major influence in our government's involvement in supplying them with resource expertise and financial aid to develop and/or expand their family planning programs. Although I firmly believe that USAID's current provision of support for such programs deserves praise and certainly more publicity, of equal importance is our own domestic need of establishing successful models. A "moral" model of credibility and validity at home could accelerate project development abroad.

Current United States population estimates tell us that we are a country of some 208 million inhabitants. Although demographers disagree about a projected figure for the year 2000, there seems to be unanimity in the declaration that growth will continue. These macrostatistics, while important in affording us a perspective for understanding, serve us less well factually than the microstatistics of individual births. Let us assume for a moment that those demographers, who would add 100 million newcomers by the year 2000, are correct. If each microstatistic were carefully planned and its future meticulously provided for as concerns--nurture, love, security, shelter and a maximal opportunity to grow and develop as a human being--there might be little cause for concern. The truth, sad again, is that most of these conceptions will occur as unplanned events--consequences mainly of sexual rather than reproductive behavior. This lack of planning, this conceptional nondesign, is not confined to any single socioeconomic class, race or age group. It is related, however, to ignorance, religious pride, societal taboos and apathetic irresponsibility. Our culture has done little to support responsible behavior as it applies to planned human conception.

Abuse of sexual behavior, unwanted out-of-wedlock or in-wedlock pregnancy occurring often as a consequence of such abuse, furtive searching for "therapeutic" or even criminal abortion, adopting or keeping a child accidentally conceived are all examples of real, related problems occurring daily in our world.

To date most of our responses can be best categorized as crises-oriented, rather than preventive. Maternity homes are examples of empathetic responses to "wayward" girls. (Paternity homes were never developed to serve our double standard.) Affording the pregnant teen-ager "high-risk" obstetric status is but a palliative measure on a continuum of care--cure. Abortion is at best a recognition that a failure has somehow occurred and a stop-gap remedy required. Adopting an unwanted child serves the needs of the infertile couple, but results from a generally wasteful experience in the maturation process of the mother. Keeping and raising a child without an identifiable father is less than ideal. Hasty marriages have ended oftentimes in still hastier divorces. Certainly all of these options are necessary as current alternatives, but must we assume that these present-day choices need also serve as tomorrow's responses?

EDUCATION AS A SOLUTION:
A RESEARCHABLE HYPOTHESIS

Rather than anticipate an ever-increasing number of similar problems demanding solution 3 decades from now, would it not be possible to design and implement a program of learning that might conceivably prevent undesirable behavior? No doubt many of us could list examples of undesirable behavior, especially if we direct our thought toward others. The number of articles written by adults concerning the eccentric activities of the adolescent and/or young adult confirms how simple an exercise this really is. Often overlooked is the fact that adult modeling is a prime factor in the development of behavioral patterns. (I cannot recall delivering a child who was a bigot at birth!)

Desirable behavior is something we adults should sit down and iron out. There ought to be sufficient agreement toward compiling a list of instructional objectives, despite our many individual differences. My task today is made easier by being assigned only the area of sexual and reproductive behavior.

Focusing on the needs of an as yet unconceived child provides the framework for developing a procreative ethic upon which instructional objectives for curriculum design can be constructed. The task of child rearing--its frustrations, responsibilities, sacrifices and, of course, satisfactions--is a subject that can be learned in advance of the actual personal experience. This is not, unfortunately, our current style. We study law before involving ourselves in legal practice. We study medicine prior to beginning clinical practice. Why do we not extend the same courtesy to the prospective parent? Is child rearing indeed so easy, natural or unimportant that professional expertise need not be conferred upon parenthood? We made babies, have them and then only attempt to learn the intricately complex function of the parental process. Apparently, love and care do go a long way in covering up our errors. Either that or the infant's ability to withstand judgmental mistakes is truly remarkable. It is a fact that many survive childhood and adapt quite well, despite or in spite of the "nonsystem" described.

BEGINNING IN THE HOME

Until proven otherwise, I will assume that the nuclear family is as viable a milieu in which a child can grow and develop as any other suggested environment. Magical expectations, however, must give way to pragmatic realities. Just because a child is born into a two-parent family is no guarantee it will do well. There are a myriad of examples of maldevelopment occurring within such homes and an increasing number of children doing well who are raised by single parents. The concept of the nuclear family must be reaffirmed and strengthened if it is to remain viable. It is rather ridiculous and hypocritical to prepare adolescents for the blissful state of marital happiness and overlook the fact that the divorce rate continues to increase.

The child has 5 long years of home learning before he gets anywhere near a school, and as such the parents, indeed, have the primary responsibility for directing the initial educational process. There is much evidence that during these early formative years behavioral patterns become set and difficult to modify later. Instructional objectives for parents should be developed by parents with whatever resource expertise is necessary for the task.

Obstetricians and pediatricians, as well as general practitioners (family physicians), would do well to consider the need for helping parents succeed as parents. Much too much emphasis in obstetrics is geared to intrauterine growth and development almost to the exclusion of preparing the mother and father for the longer task of extrauterine nurture and guidance. The physician need not take this added burden upon himself but could help it along supportively by identifying other professionals equal to the task.

The program described can be termed "Family Planning Education" (FPE). (In none of the words constituting this descriptive phrase can I find elements of subversive conspiracy.) The following definitions have been selected from Webster's Seventh New Collegiate Dictionary.

> family--the basic unit in society having as its nucleus two or more adults living together and cooperating in the care of their own or adopted children.

(It is quite probable that the above definition requires some modification especially in light of my earlier remarks concerning the successful, compassionate, single parent.)

> planning--(involvement in) a detailed program of action; a method devised for making or doing something or achieving an end.
>
> education--the knowledge and development resulting from an educational process (wherein to educate is defined: to develop mentally and morally especially by instruction).

From the above, I hope it is clear that I am describing a value-oriented educational program and specifically emphasizing its beginning effort as occurring in the home.

For our purpose let us define community as the portion of the individual's environment that is "extrafamily." It includes peer group, media, school, church, etc. At present this is the major source of information (and misinformation) in the learning process under consideration and undoubtedly will continue to be the major source for some time to come.

Arbitrarily, I will select the school system, at this point, to further expand on the proposed content of FPE. Other community sources of information, ie, churches, the media, etc., could develop their own particular method of achieving or facilitating attainment of common objectives.

THE SCHOOLS: A FORMAL SYSTEM

Family Planning Education can be subdivided artificially into a variety of subject areas:

1. population
2. family
3. reproductive science
4. contraceptive science
5. preparation for marriage and non-marriage
6. preparation for child rearing
7. ethical systems and sexual relationships
8. societal problems

Each area in turn can be developed in depth and offered sequentially moving from the concrete to the abstract and from specifics to generalizations. All of the content areas should be integrated into already existent disciplines in the hope that FPE need never become a subject in itself. Those responsible for the school program should insure that the student when graduating from high school will be competent in the planning of his or her own future family, should he or she *choose* to have one!

Whatever programs are ultimately developed, one would hope that students *and their parents* become actively involved in learning. It is quite possible that the school could serve as an institution that innovatively helps to strengthen student-parent relationships and does this as one of its priority functions. Since modern techniques utilize multisensory approaches to learning, television tapes, for example, can be viewed by the parents at home and the student in school. Whenever teacher guides are prepared, it is hoped that parent guides would be prepared as well. The student, especially in the early grades, should have work assignments with his parent(s), other students and teachers.

POPULATION

Within the past decade students have become increasingly aware of the problem the world must face in coming decades if population growth continues at its present rate. Much of this awareness, especially on the part of the younger student, has been gained from "community resources" outside of the formal educational system. To insure that information is disseminated more universally, the subject must become a part of the formal curriculum. It is quite unfortunate that a certain number of dropouts are anticipated at varying grade levels from within our schools. Since school achievement displays no correlation at present with subsequent family planning behavior, I feel it imperative that informational input begin quite early to maximize learning for the greatest number of students. Elective courses in ecology offered at a graduate level, while necessary, do little to introduce early concepts universally.

The individual student should be provided with information which allows him to understand that the world is composed of many families, variously distributed but with common human needs. This is the major concept to be developed sequentially. Second, man's continued existence is related to understanding his place in the environment, and that the earth's resources are finite.

FAMILY

Cultural anthropology, comparative religion, sociology, psychology and ethnology are all related fundamentally to this particular subdivision. The student is provided with a body of information that describes essentially the history of man's presence on earth to date as a unit of family. The interrelationship here with population awareness education is, I hope, manifestly apparent. The student must be afforded an opportunity to develop a frame of reference as to the importance of family in all cultures, the relationships of family members to each other as well as to other families globally dispersed. A goal of developing attitudes, knowledge and skills that will enable him to contribute effectively to his present and future family life is to be stressed.

REPRODUCTIVE SCIENCE

Since living things do indeed come from living things, we need not be embarrassed to acknowledge this bit of information. If students entering kindergarten have already been informed by their parents that such is the case, I would happily yield to those "saviors of our tradition" who would keep the terms penis and vagina out of the school house. My plea (repetitive though it may seem) is for these individuals to listen in during recess for the other terms in frequent usage outside the classroom. Of course, a child should know his bodily parts by their proper names before entering school, if for no other reason than the need to communicate. Parents need not cease below the waist and resume below mid-thigh in their anatomic lessons at home. There is no valid reason to be comfortable with words like eyes, ears, nose and shoulders and to be uncomfortable with penis, scrotum, testicle, vagina, labia, etc. Words themselves are not "dirty." A vocabulary common to children who speak is quite necessary. Diminutive expressions, such as "do-do, wee-wee, eh-eh, pee-pee," although anxiety-lesseners for adults, add little to the educational process. If physiology, anatomy and biochemistry are suitable subjects for in-school learning, I feel it is ridiculous to treat the human and other animal species as lacking in a reproductive system. If radicalized groups want the parents to teach about the other body systems at home, then let them show consistency. To publish books on human anatomy for school distribution and offer supplements on the reproductive system, is to teach implicitly rather than explicitly. This content area becomes remarkably easy to communicate if the ethical and moral aspects of reproduction are handled in the "family" content area. The reproductive process is fascinating as a classroom subject. The processes of ovulation and spermatogenesis are indeed miraculous and awe-inspiring and should be treated as such. Classroom demonstrations of fornication are, of course, inappropriate but no more so than similar demonstrations of urination or defecation. The need to develop this area sequentially is paramount. The idea that an isolated group of girls in the fifth, eighth, or tenth grade should see a film some spring afternoon and pass this off as relevant education is reprehensible. No one considers introducing calculus or early American history in this manner, ergo, why isolate the reproductive system?

CONTRACEPTIVE SCIENCE

It is appropriate to discuss at some length with a 4, 5 or 6-year-old the concept that human beings unlike other species of living things plan the creation of their offspring. It should not be an accident but a well-designed, planned event. Young children can and should be taught that children are to be born into viable familial units so that ideal nurturing may occur. These facts are to be repeated and expanded in depth as the child nears reproductive capacity. The methods of contraception chosen by individuals when they become sexually active is information that can be acquired outside the classroom (school library, drug store, church, home, family planning clinic, physician's office, etc.). The concept rather than the method belongs in the classroom.

PREPARATION FOR MARRIAGE AND NON-MARRIAGE

Numerous examples of content materials can be found in textbooks used on college campuses throughout this country. I see no reason to postpone learning opportunities beyond the 12th grade. If indeed, alternate life styles other than marriage are emerging these should be considered so that more rational choices can be made. The student completing 9th grade must have an understanding of why people choose to marry or remain single; the advantages and disadvantages of either choice must be clear.

PREPARATION FOR CHILD REARING

This subject is much too important to be left to the experts. Since adults (parents and non-parents) play a significant role in child development, all potential adults should be aware of their possible facilitating or non-facilitating modelling opportunities. Day care centers should be made an integral part of elementary and intermediate schools everywhere and older students should have rotating responsibilities in caring for the younger children while observing their growth and development. Babies can be wonderful; they also can be very demanding of a parent's energies. This latter aspect must be understood clearly by a youngster of 13 or an oldster of 28 who wants "something" to love.

ETHICAL SYSTEMS AND SEXUAL RELATIONSHIPS

Our society is a pluralistic one. Children should be prepared for pluralism. Confusion can be avoided. Sexual expression is one of the most intimate forms of human communication. It can be used to maximize the human experience. It can be and unfortunately is abused too frequently. I feel it is extremely important for adults to carefully explain in very specific terms what ethical considerations ought to be reviewed by youngsters anxious to begin their sexual learning. Religious institutions clearly have the easiest jobs, for they are founded in an ethical framework. Their messages must not be lost in translation. Love and positive rewards would go much further in enhancing sexual and reproductive learning than fear and punishment. Human beings are divided into males and females for procreative purposes, and therefore are anatomically different. I'm not at all certain that other apparent differences are or should be made real. Learned gender roles are just that and different learning opportunities could be offered. Choices should be offered rather than rigid rules imposed.

SOCIETAL PROBLEMS
RELATING TO SEX AND REPRODUCTION

This subject area can have its full expression during grades 10, 11 and 12. It should be obvious to all of you who deal with children that an awareness develops long before age 15. Problem solving is a way of conferring a sense of responsibility upon those undergoing maturation. There should be less embarrassment on the part of adults for not having achieved utopian ideals as yet. Children can be invited to suggest, and involve themselves in seeking, solutions.

THE COMMUNITY: AN INFORMAL SYSTEM

As we move toward development of a national program of family planning in our own country, those involved in mass communication must recognize their responsibility in guaranteeing the success of such a program. For a variety of reasons, most of which are obvious, television coverage of a manned space flight to the moon is more appealing as news than is establishment of a mixed, racial adoption service in some remote community. I realize that I am weighed down by an enormous bias, but similar coverage that might have accumulated positive benefits for the adoption agency, were it given similar national coverage for even one day, might have proven fantastic. Finding homes for some funny colored children, I'm told, holds but a minute fraction of the importance accorded to funny-looking men in funny-looking suits walking on the funny-looking moon. If, indeed, our national space project is for the benefit of future generations of children, how about a portion of unequal time for less dramatic involvements whose objectives are essentially the same.

Bridge and gardening columns, carried in our newspapers with precise regularity, undoubtedly have purposes so lofty that they seem difficult to describe, at least for me. Where are the columns devoted to population planning or family planning? In how many newspapers do they appear and how often?

How numerous are the radio programs that offer guidance for interested parents seeking information about child rearing? How well publicized are they, and how meticulously were their formats prepared to insure their being categorized entertaining as well as educational?

Fountain pens, automobiles, detergents, deodorant sprays, porcelain cleaners, etc are before our eyes and ears countless times during the course of a single day. The advertising world has proven itself capable of persuading, motivating, suggesting, deciding, stimulating and even altering behavior. The most effective learning to date that I am aware of, that could be labelled health education, must be awarded to those responsible for the antitobacco commercials. A generation of television watchers are proving themselves formidable opponents of their cigarette smoking parents. Adults are beginning to apologize to their children for continuing their habit in the face of the continued warnings. There is no doubt in my mind that a successful national program of family planning education and service can be designed best along the "Madison Avenues" of our cities, rather than in the hallowed halls of our university centers. At present, public service spots on radio and television are the only times regularly allowed for selling responsibility. Many agencies are competing for these moments with little funding for production costs. The public service messages produced generally look and sound like what their costs reflect. National organizations with larger budgets generally come over well (not so with the local planned parenthood groups).

Since these are indeed the realities of our times, I would propose that pharmaceutical industries, organized for profit, begin a series of institutional messages designed for the public good. I believe they would consider such a proposal if asked by organized medicine and supported by national and local government groups. Not only would they consider it, but I would wager on a positive response. Imagine, for example, all the contraceptive manufacturers pooling their resources, hiring a talented agency and producing a high quality series of commercials geared to informing the American public about the benefits of child spacing (and even limitation). I would find it difficult to believe that contraceptive sales would do anything other than rise. Actually, there would be few losers if such an outreach for responsibility were initiated. As wonderful a job as is being carried out already by door-to-door community workers in many of our cities, the task, as yet undone, is enormous. The potential return on what may appear as an initial high cost endeavor utilizing mass media is too great for us to postpone for too much longer.

Family Planning Education, for the moment then, must be directed towards our leaders of government, industry and the professions so that, in time it then can be more suitably aimed at the consumer--the real or potential, individual family.

Family planning education is more than sex eduation, birth control devices and services or premarital examinations; it is the learning of a concept, a concept that would permit the system to respond to a priority need.

CONCLUSION

A major fault with the family planning movement, as I understand it, is that its direction is determined at present predominantly by physicians. Those in need of family planning education and services are, in the main, people who are not and need not be considered patients. Couples or individuals who responsibly consider the separation of sexual and reproductive functions should see physicians only if they are ill or if they require a physician's service so that they may stay well. Since there is already a severe medical manpower shortage in our country, let us not aggravate it by moving physicians into family planning except as they are needed surgically, or in providing other skills that only they can contribute.

Condom utilization by males does not require a physician's services, neither does use of foams, jellies, creams or rhythm. Packaging, marketing and distribution preceded by the creation of need is really where it is at. Paradoxically, the need as perceived by many potential users is already there.

Direct mail solicitation of the rural consumer could be "market researched" in an attempt to test the feasibility of a low cost approach to serving groups outside the areas of "product availability." If such a method proved successful, the outrageously expensive mobile van need not be purchased.

What, of course, is necessary, is the need to inform and educate so that the individuals using nonprescription services know when to seek professional help. ("If the cough persists, see your physician.") Furthermore, when professional services are needed, they must be accessible physically, economically and psychologically.

Lastly, the consumer must be made to recognize that the term family planning, as he encounters it, stands for that and not birth control. A poor, barren couple should understand that the family planning service is also for them. The consumer will not recognize this, however, until we professionals come to some agreement concerning our response to the question--what is family planning?

Some Unanticipated Results of Family Planning in Previous Generations

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I want to talk today about actions which, undertaken in all innocence and with the best of intentions, are having an unanticipated effect upon the American family. These actions are universally praised as salutory and necessary for the betterment of society. Their interrelationships, on the other hand, is bringing upon us a host of new problems for late life.

The first group of actions have extended life expectancy, largely through the control of infectious diseases--through immunization and better sanitation, the development of antibiotics, and advances in medical treatment. In 1900, the life expectancy of a newborn baby was less than fifty years; today, it is over seventy years. Like all nations, America takes pride in this extension of life. It is concrete proof that government has been promoting the welfare of its citizenry. That our nation does not have the highest life expectancy among developed nations, and that her minorities have a lower life expectancy than that of the white population, is cause for concern.

The graphs in Figure 1 show how life expectancy has increased. The life span itself has not been extended; it apparently has always been approximately 100 years. Rather, with the improvement of the human environment, the death rates have dropped for the early and middle years and risen rapidly for late life. The overwhelming number of toddlers of today are thus assured an old age. Women have benefited from environmental improvement more than men, and this sex difference is very new; it was barely apparent in the 1930's when our Social Security laws were enacted.

Rapidly, but with little fanfare, a new country has arisen in our midst; the country of the old. It is today 20 million strong. Every tenth person in America is at least 65 years of age. Only half this number are under 73; over a million have passed the age of 85; and well over

Figure 1. Age specific frequency of death for the United States: 1900 and 1960.

Source: Grannis, George F. Demographic perturbations secondary to cigarette smoking. **Journal of Gerontology**, 1970, 25, 55-63. P. 56.

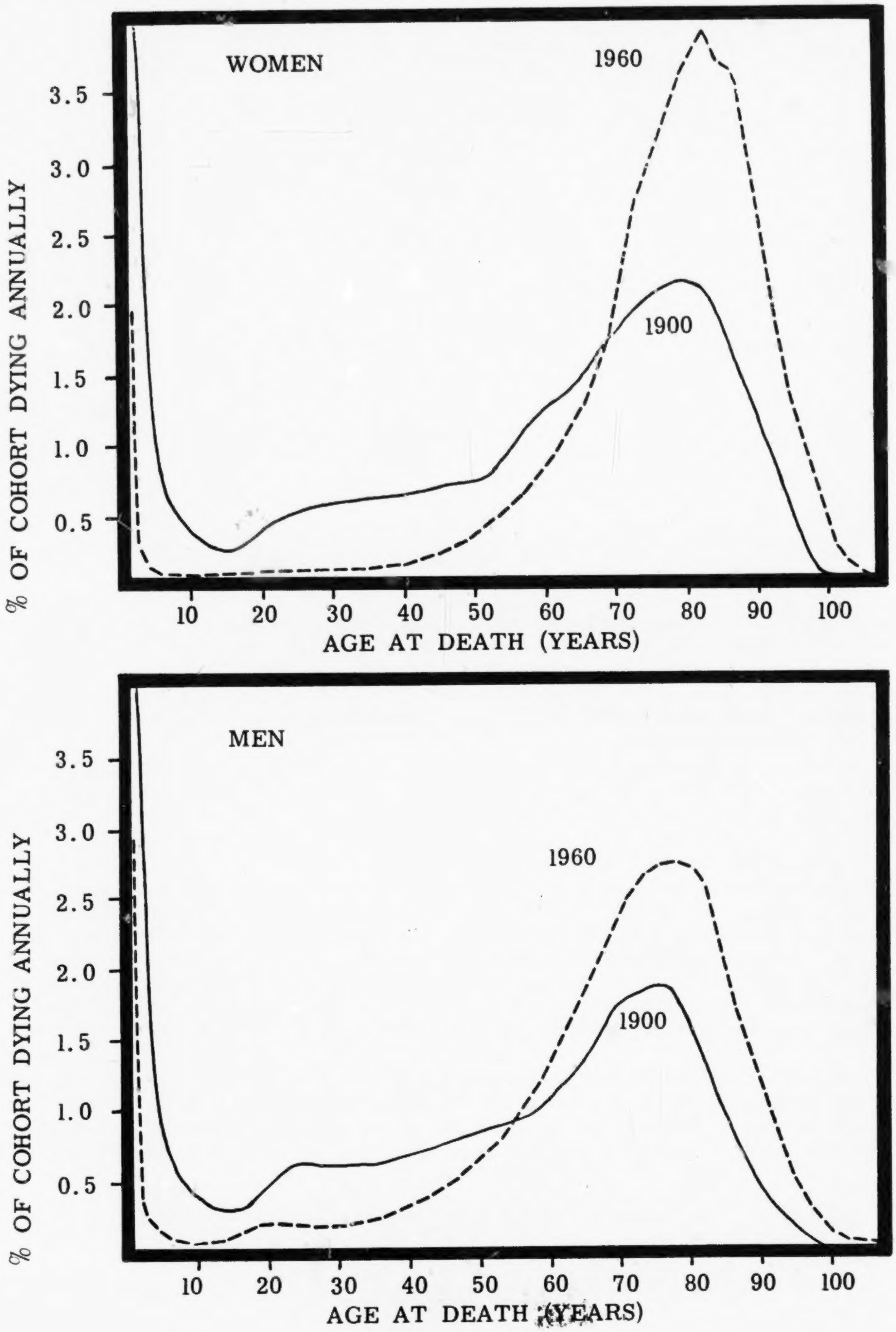

Figure 1.

10,000 are believed to be a hundred or older. For every 100 men there are 135 women. The population of very old, moreover, is increasing at three times the rate of the population aged 65 to 74.[1]

By the year 2,000, the number of elderly Americans will have swelled to 28 million, there will be 150 women for every 100 men--and as many as 9 million may be widows.

These statistics are projected under the assumption that medical and biological research is not coming up with any more miracles. Should major breakthroughs occur in the treatment of cancer and the cardio-vascular diseases, another 7 years may be added to life expectancy. If biologists find a way to retard basic aging processes--and there are investigators who feel we are very close to such knowledge--then the life span itself will be entended by an unknown amount; perhaps ten years, possibly more.[2] That life has been extended for the ordinary person is indisputable; that the good life has been extended is open to some doubt.

The second set of actions with which I shall be dealing today falls under the rubric of family planning, undertaken, again, in all innocence--well, anyway, with the best of intentions. Seldom is it noted that, just as improvement of the environment alters the life expectancy of the individual, family planning alters the life expectancy of the family.

The data presented in the graph of Figure 2 show the family life cycle for the typical wife and mother, as revealed by analyses of census data for 1890 and for the present.[3] The typical bride at the turn of the century was about 22--somewhat older than her present-day counterpart. Her husband was about 26; a man didn't marry until he could support a wife and family, since he would have been disgraced if his wife had worded. Baby

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[1] Brotman, Herman B., Facts and figures on older Americans. No. 2. The older population revisited: First results of the 1970 Census. SRS-AoA Publ. No. 182. Washington, D.C.: Administration on Aging, U.S. Department of Health, Education, and Welfare, n.d.

[2] For a readable summary of recent work in this area, see Comfort, Alex. Biological theories of aging. Human Development, 1970, 13, 127-139.

[3] Data for 1890 from Glick, Paul C. The life cycle of the family. Marriage and Family Living, 1955, 17, 3-9. P. 4. Current data from Duval, Evelyn M. Family Development. 4th ed. Philadelphia: Lippincott, 1971. P. 109. Current age of death is based upon an estimated life expectancy in 1970 of 15 years for persons aged 65-70. See Department of Health, Education, and Welfare. Public Health Service. Annual Summary for the United States, 1970. Monthly Vital Statistics Report, Vol. 19, No. 13, Sept. 12, 1971. P. 15.

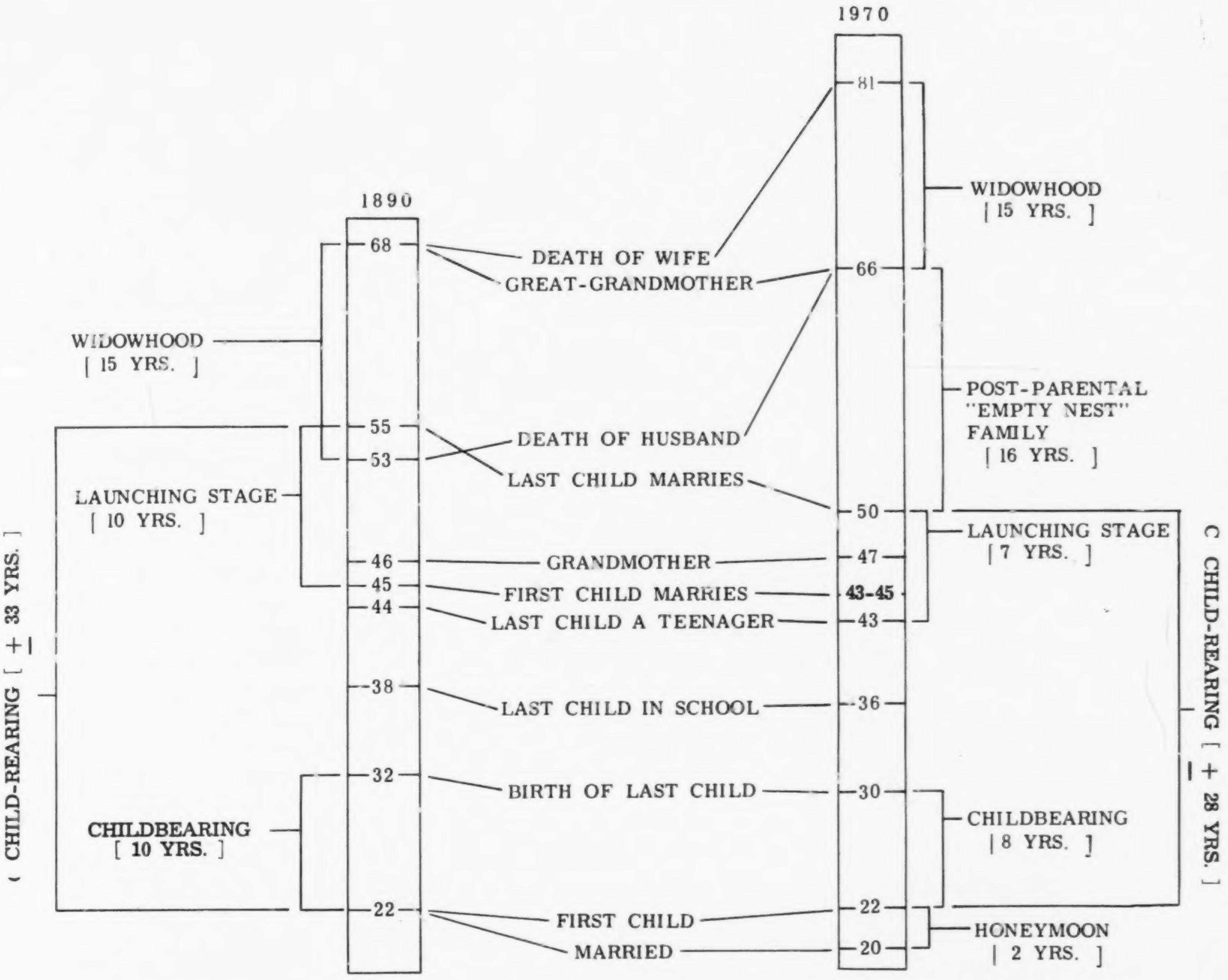
1890
1970
81
WIDOWHOOD
[15 YRS.]
68
DEATH OF WIFE
GREAT-GRANDMOTHER
66
WIDOWHOOD
[15 YRS.]
POST-PARENTAL
"EMPTY NEST"
FAMILY
[16 YRS.]
55
53
DEATH OF HUSBAND
LAST CHILD MARRIES
LAUNCHING STAGE
[10 YRS.]
50
LAUNCHING STAGE
[7 YRS.]
46
GRANDMOTHER
47
45
FIRST CHILD MARRIES
43-45
44
LAST CHILD A TEENAGER
43
CHILD-REARING [± 33 YRS.]
CHILD-REARING [± 28 YRS.]
38
LAST CHILD IN SCHOOL
36
32
BIRTH OF LAST CHILD
30
CHILDBEARING
[10 YRS.]
CHILDBEARING
[8 YRS.]
22
FIRST CHILD
22
MARRIED
20
HONEYMOON
[2 YRS.]

Figure 1.

MAJOR EVENTS IN THE LIFE OF THE AVERAGE AMERICAN WIFE AND MOTHER IN 1890 AND IN 1970 FROM CENSUS DATA.

NOTE — Ages within columns represent central tendencies. Age of first child's marriage varies with the sex of the child, since men tend to marry somewhat later than women. See Footnote No. 3 + 0 text for sources of data.

production tended to begin immediately when the only effective birth control methods were abstinence--or the cultivation of either a sour disposition or a female complaint. Mother was not free of infant- and toddler-minding until she had reached her late thirties, when her last child entered school. Less than ten years later she would become a grandmother. However, her last child would not marry until she reached the mid-fifties; and by that time she would very likely be a widow.

In contrast, the average mother of today married younger, and she married a younger man. Neither she nor her husband was shamed by her continuing to work, and she typically extended her honeymoon an average of two years beyond marriage by postponing childbearing. Once she began her family, she had fewer children than her 19th Century counterpart and she spaced them somewhat more closely together. She was out of the childbearing period by the time she was thirty, and her last child went to school when she has just past the mid-thirties. If present trends continue, our average mother of today will be in her early- to mid-forties when her first child marries. She will become a grandmother about the same time as her 19th Century counterpart; but, unlike her counterpart, she can expect to become a great-grandmother also. Great-grandmotherhood used to be a rarity, now, four- and even five-generation families are becoming common, and an estimated 40 per cent of older persons with children are great-grandparents.

The difference between these two women for the first portion of married life reflects the preference for early marriage and for getting childbearing over and done with. Even though she has enjoyed an additional honeymoon period after marriage, the modern American mother can expect to wave good-bye to her last chick some five years earlier than was possible for her counterpart of the Gay Nineties.

The real revolutionary change in family structure, however, lies in late life. The recently-acquired ability to plan one's family, together with the biological extension of life, has permitted the emergence of a new family stage in late middle and old age, variously called the "late life," "postparental," "empty nest," and "gerontic" family.[4]

At the turn of the century, the average American wife and mother was not likely to have been faced with the task of readjusting to the intimacy of a two-person family in later life. By 1970, demographic evidence indicated that, after the last child left home, husband and wife could expect to spend over ten years alone together before the death of one of them--typically, that of the husband. After these years of renewed intimacy, the wife, like her earlier counterpart, could expect some fifteen years of widowhood, with death coming in the late seventies or early eighties.

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[4] For a review of the research literature upon this family, see Troll, Lillian E. The family of later life: a decade review. Journal of Marriage and the Family, 1971, 33, 263-290. Statistical trends over the entire family life cycle have been well summarized in Duvall, *op. cit.*, also Chapter 6, Family composition and living arrangements of married persons, in Carter, Hugh, and Glick, Paul C. Marriage and divorce. Cambridge (Mass.): Harvard University Press, 1970.

The senior citizens of today have become, willy-nilly, social pioneers in the country of the old. We know very little about the characteristics of this new post-parental stage in the family life cycle. Both research and social service have concentrated upon the family of the young; only last year did a review of the literature appear which was devoted exclusively to the family of later life.[5] The elderly have constituted only about one half of one per cent of the casework loads of family service agencies, although reason suggests that they must constitute, at least, 10 per cent of the population needing service.[6] Research can be found to support the belief that families take a new and happier lease on life when the last chick has left the nest. Research can also be found to support the view that people become more disenchanted with marriage as they move into old age.[7] Presumably, the new family of late life has its own stresses and strains, as well as its own characteristic patterns of development, but we know next to nothing about them. Our ignorance is partially excusable by our need to clear away the cobwebs of misconceptions concerning the elderly and their family life. Only recently have we been able to move forward to new knowledge.

That social circumstances of the elderly were changing was signalled, during the late forties and early fifties, by a rising chorus of complaints against the adult children of aged parents. In the good old days, so the argument ran, children looked after their aged parents. Industrialization has contributed to, if not caused outright, the fragmentation and decay of the family. The contented three-generation family, all members living together under one roof, is no more. Children are moving away, heartlessly abandoning those whose due is love, gratitude, and care.

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[5] Ibid.

[6] Morris, Robert. Aging and the field of social work. Chapter 2 in Riley, Matilda W., Riley, John W., and Johnson, Marilyn E. (Eds.), Aging and Society. Vol. 2. Aging and the professions. New York: Russell Sage Foundation, 1969, p. 22.

[7] Troll, op. cit.

Careful research beginning in the middle fifties, however, has proved that this view is simply wrong. A study of a representative sample of older Americans with children revealed that well over two-thirds had seen at least one child the week before being interviewed. When family units are distant, extended visiting and the telephone help fill the gap. Considerable amounts of aid flow between the separate households that both the young and the old prefer to maintain as long as possible.[8]

Children, moreover, are taking their responsibilities seriously. During a study of health needs, elderly respondents were asked to name those they would turn to in an emergency. These persons were then sought out and interviewed concerning the health of their elderly relatives. During the interview, they were told the following story:

> Tom and Mary Jenkins have four children. They live in a new section in a small, three-bedroom house, and it gets pretty crowded. Mary's mother, Mrs. Stevens, is a widow, with a very small pension, and her health is poor. The doctor doesn't think Mrs. Stevens should live alone. He says that she doesn't need any special nursing care, just someone to keep an eye on her. What do you think Mary should do?[9]

Under these crowded conditions--four children and three bedrooms, a whopping 46 per cent of persons--persons who might easily be faced with the same situation some day--said Mary should bring her mother home to live with her. Thirty per cent thought mother could make it in her own home, and 8 per cent suggested special arrangements. Only 9 per cent, however, suggested a home for the aged. Americans do not take kindly to institutional solutions.[10]

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[8] Shanas, Ethel, Townsend, Peter, Wedderburn, Dorothy, Friis, Henning, Milhhoj, Paul, and Stehouwer, J. Older people in three industrial societies. New York: Atherton, 1968, pp. 251-252.

[9] Shanas, Ethel. The health of older people: a social survey. Cambridge (Mass.): Harvard University Press, 1962, p. 122.

[10] A recent study of the utilization of aid by heart patients revealed that, apart from medical and hospital care, community institutional supports such as clergy, rehabilitation clinics, and social service agencies were relatively unimportant; family, friends, and neighbors provided by far the greatest amount of aid. See Croog, Sydney H., Lipson, Alberty, & Levine, Sol. Help patterns in severe illness: the roles of kin network, non-family resources, and institutions. Journal of Marriage and the Family, 1972, 34, pp. 32-41.

Where, then is the problem? Part of it lies in the fact that we were unprepared for the sheer number of elderly that have appeared in our midst. Only about 4 per cent of those over 65 are living in institutions--but we are talking about 4 per cent of 20 million. We have difficulty in staffing these institutions with even minimally-trained persons. Only 18 per cent of our elderly have no surviving children and only about one per cent, no relatives at all; but these percentages--again, of 20 million--fill the tacky hotels surrounding the ghettos of our large cities, and at times we despair of ever delivering to these elderly the services they so sorely need.[11]

The needs of our population of elderly, furthermore, are not the same as they were at the turn of the century, thanks to changes in our economy. Consider this bit of nostalgia from World War I, a war bond poster showing a son is taking leave of his father to go to war. Behind this touching family scene stretch acre upon acre of lovely income-producing farm property. Before the flight from farm and small town to the city began in earnest, it was more likely than not that the children were dependent upon their parents, and not vice versa.[12] The older generation, that is, owned the property from which the family derived its income. Retirement for the father illustrated here would not entail the drastic loss of income that is the fate of his modern counterpart, who typically derives his income from wages.

Three-quarters of all elderly men, and one-third of all elderly women, presently live with their spouses in households with an older person as head. In 1970 the Bureau of the Census counted two-person families as being in poverty if they had less than $2,328 per year in income. Fourteen per cent of older white families, and 40 per cent of older black families, were poor by this standard. Fifteen per cent of older men, and 36 per cent of older women, maintain their own households, the overwhelming majority living alone. Individuals were considered poor if they had income less than $1,852 per year. Forty-four per cent of white non-married aged, and 73 per cent of black aged, were poor by this standard.

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[11] The problems of the needy aged cannot be put before the public too often; but such a task is beyond the scope of this paper. For a recent and compelling description of the pangs of old age in American society, see Tiven, Marjorie Bloomberg. Older Americans: Special handling required. Prepared for U.S. Department of Housing and Urban Development and U.S. Department of Health, Education and Welfare by the National Council on the Aging. Washington, D.C.: National Council on the Aging, 1828 L Street, N.W., June, 1972.

[12] For a detailed presentation of this argument and its implications for social policy change, see Schorr, Alvin L. Explorations in social policy. New York: Basic Books, 1968, pp. 71-76.

There are some affluent individuals in the country of the old, but the typical citizen can hardly be said to have enough for an anxiety-free old age. Median income of elderly families is only 48 per cent, less than half, that of younger two-person families. The five million older Americans who live alone or with persons to whom they are not related have a median income that is only 42 per cent of that enjoyed by younger nonmarried persons.[13] Older persons do have assets that are greater than younger persons, but the assets of the old are largely tied up in the home--frequently an aging, inconvenient structure that is becoming more and more of a financial liability as both repair costs and taxes rise. Average assets of the elderly, excluding the home, came, in 1963, to only $2,950.[14]

Even under these depressing circumstances, the majority of people are not on public assistance making ends meet, with the aid of their families. The remainder are assisted by a welfare system that operates according to the philosophy that providing a comfortable income would rob the recipient of the incentive he needs to eventually become self-supporting. Will that 80-year-old widow with arthritis and diabetes become self-supporting? The case worker already knows the answer; but government requires that she act as though the question were yet undecided. This welfare philosophy was not designed for the country of the old.

But to return to this poster of a half-century ago: its most striking aspect is undoubtedly the age of dear old Dad. How many fathers of today, with sons of draft age, have snow-white hair and beard, or the relaxed paunch of old age? It was frustratingly dismal when a man could not marry until his late twenties; and it was inconvenient, to say the least, when a woman had little control over childbearing; but the dividend in old age was to possess young and vigorous children. This father did not outlive the vigor of his son. It is today a blessing to be able to marry early, convenient to get childbearing over with quickly, and delightful to be able to enjoy one's children while one is yet young. However, when parents and children are both young they will, inevitably, grow old together. Who, then, is to be considered primarily responsible for the welfare of the aged?

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[13] Income data from Brotman, Herman B. Facts and figures on older Americans. No. 3. Income and poverty in 1970--advance report. SRS-AoA publ. No. 183. Washington, D.C.: U.S. Department of Health, Education, and Welfare, June, 1971. Living arrangements data from U.S. Bureau of the Census. Current population reports. Series P-20, No. 225. Marital status and living arrangements: March 1971. Washington, D.C.: U.S. Government Printing Office, 1971, p. 3.

[14] Epstein, Lenore A., and Murray, Janet H. The aged population of the United States: The 1963 Survey of the Aged. Research Report No. 19. U.S. Department of Health, Education and Welfare. Washington, D.C.: U.S. Government Printing Office, 1967, p. 11.

The need is well illustrated by this letter, signed "Desperate," which was received by the *Chicago Tribune* a little less than a year ago:

> I am flat on my back in the hospital recuperating from a heart attack. My 87-year-old mother is in dire straits without me because I have been her sole means of support. I'm afraid she might be starving. I'd be forever grateful if you could help.[15]

The paper notified the county welfare office, which began at once to deliver hot meals to the mother and provide her with other services. Meals-on-Wheels programs are still, however, the exception rather than the rule.

The needs emerging from the alteration of familial age structure are not only for emergency, short-term service.

> Mrs. N applied for admission to a home for the aged when she was 90 years old and had been a widow for 22 years. She and her 62-year-old daughter, Helen, had never lived in separate households. When the daughter married 44 years ago, the young couple made their home with the Ns. Despite her fourscore and ten years, Mrs. N was neat, agile, attractive, and intact mentally. Her vision had been deteriorating for some years, but she continued to function well. The daughter and son-in-law were not so fortunate. The latter suffered from severe angina and retired from work. Helen had been working part time as a sales girl in order to supplement the family's income, but her health too was failing. The family physician insisted that their home be sold and that she and her husband move to a small apartment in a different climate. Mrs. N therefore moved to the home of a younger daughter, the "baby" of the family and only 55 years old. Anna welcomed Mrs. N in her home, although she was working to help her son through college. This arrangement was short-lived, as Anna soon became acutely ill and was hospitalized.
>
> There were, in this family, three other adult children. The oldest, Sam, was 71 years old and a semi-invalid. He and his 66-year-old wife were living on their Social Security income. Fifty-nine-year-old Lou had taken his 82-year-old mother-in-law into his home. And Sarah, a widow of 64, was living in the household of her daughter.[16]

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[15] Action Express item. *Chicago Tribune*, April 19, 1971. Section 1A, 1

[16] Brody, Elaine M. The aging family. *The Gerontologist*, 1966, *6*, 201-206. Pp. 203-204. The data used in this study, collected from admission records of a Philadelphia institution over a 6-month period in 1965-66, indicated that the death or severe illness of an adult child or child-in-law precipitated the request for admission in 24 per cent of the cases.

The "classic" approach of casework, derived from psychoanalytic theory, has been, in cases involving the elderly, to attempt to get the children to recognize the dependence of their parents. This approach assumes young, or at least no more than middle-aged children. The needs of "Desperate's" mother, and of Mrs. N, however, stemmed from the senescence of their children.

More and more families like Mrs. N's are moving into the country of the old. If the children cannot shoulder the burden of responsibility for aged parents, does the burden then fall upon the shoulders of their grandchildren?

> A few months after his 100th birthday, Mr. P presented himself at an old age home requesting admission. He had made the trip on his own initiative, traveling on several buses and street cars. His decision, he explained to the social worker, was based on the fact that his "kids" were having problems. The 70-year-old daughter, with whom he had lived for 45 years, had been spending all her time during the past year at the hospital, visiting her sick husband. He had tried living with a son in another state, but there was "nothing to do" there, and the son, age 75, behaved "like an old man." Currently, he was living in a granddaughter's home, but was uncomfortably aware that his presence was crowding the family.[17]

More and more persons are, like Mr. P, living to the very limits of the life span. If we retain the position that primary responsibility for care in old age is personal and familial, who will then ensure that Mr. P--and others like him, who will be ourselves--will have a dignified and comfortable old age?

The Gerontological Society, which is concerned with the social and psychological aspects of old age, has taken for a motto: "Not just years to life, but life to years." No one disagrees with this motto; but no one knows how to bring it into reality.

Let us not shed any tears for the family of yesteryear. We have gained new problems with its passing, but we have lost others. This typical father from a half-century ago might have entered into a legal partnership with his son, but it is likely that he did not. Many a young man in this mythical "golden age" worked for his father until his twenties or even until his thirties for no more than token birthday and Christmas presents and the distant expectation that he would, some day, inherit and be able to support a wife and family. Many a young woman was brought up to believe it her moral duty to remain single and keep house for her parents in their old age. The shift from property to wages as the primary source of personal income, freed many young people from virtual peonage to their parents. The three-generation family, all happily living together under one roof, was NEVER a common social pattern in American society. If adult children did not leave home to establish their own households, they typically postponed marriage until the old folks relinquished their hold on the property, through either death or retirement. Then the management, if not the ownership, devolved upon the children. There is no reason to believe that such a family was either happier or better-off than the family of the present. We cannot look to the past for our solutions.

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[17] Ibid., p. 201.

It is now time for me to proffer some solutions, since it is customary to end a "problem" paper on a halfway positive note. I am reminded of a story told by Elias Cohen concerning an Eastern European Rabbi who was asked by a member of his congregation what to do to save a flock of dying chickens. The Rabbi first suggested different feed; then a change in method of watering; then redesigning the hen house. Every few days the man went back to report failure and to get another suggestion, which he would then faithfully follow. Finally he had to report that all of his chickens were dead. "What a pity," sighed the Rabbi. "I had so many more solutions."[18]

We are today knee-deep in solutions, and the last White House Conference on Aging is currently generating more. Unlike the Rabbi's, they are on the whole excellent solutions. It is primarily our policy, and not our solutions, which leave much to be desired.

We characteristically gather our solutions together for use as ammunition in inadequately funded and over-publicized social wars which serve only to raise hopes that cannot be realized. Currently we are losing the War Against Crime, backing off from the War Against Poverty, but, nevertheless, bravely marching forward to a War Against Cancer, stirring up clouds of rhetoric as we go. The onlookers along the route are expecting prompt engagement and positive, discernible results. After all, when the army is marching it is not unreasonable for the man in the street to conclude that victory is close at hand, particularly when his government has told him so. Unfortunately, such wars lead only to greater frustration and to the vicious spiral of every-tightening purse strings, followed by increasingly intensified propaganda efforts to loosen them--all for the sake of more fragmented attacks upon over-simplified objectives--attacks that result, furthermore, in largely visionary gains. We are sorely in need of a rational plan for using our present arsenal of solutions; we do not, at present, need more solutions.

Wars succeed only when tactics are understood and objectives are clear. One of the most effective strategies for alleviating the pangs of old age will be to strengthen the family of later life, since by far the larger proportion of older people live in families. Before we begin another social war, however, we must quietly send out scouts to gather basic information. We need to know more about the family of late life. We have not avoided this topic because it is a dull research subject; it simply seemed more worthwhile to concentrate upon the pressing needs of the young family because we didn't realize our conception of the life span was obsolete. We never expected the country of the old to become this big.

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[18] The full tale and some profound thinking on social policy towards the elderly can be found in Cohen, Elias S. Toward a social policy on aging. The Gerontologist, 1970, Part II, pp. 13-21.

Our first task is to modernize our view of the course of human life. There are now more vulnerable years at the end of it than there are at the beginning. Present policy does not accurately reflect the modern lifeline, but, rather, that prevalant in the 19th Century--a vulnerable childhood followed by a vigorous adulthood, and ending in a brief old age that could be adequately provided for through personal savings and familial supports. This view never was completely true, and it is disastrously false today.

Second, we need to remove the age blinders that presently limit our perceptions concerning social policy. It seems, for example, as though educational policy is often more concerned with producing happy and effective children than it is with producing happy and effective adults. In like manner, our social policies concerned with alleviating the pangs of old age pay practically no attention to the vulnerabilities of middle age, wherein lie the roots of the problems of old age. We can afford the short-term view only when we are reasonably convinced that the present is the guide to the future.

A modern, developmental view of the life span will give us a rational framework upon which we can organize our solutions. Whether or not we create a coherent social policy that is relevant for persons of all ages and for families at all stages of the family life cycle will depend on whether or not we are willing to make the considerable effort. Should you have any doubts about whether or not the effort is worthwhile, let me remind you:

The people in the country of the old will, inevitably and inexorably, become US.

SESSION FIVE

Friday, 24 March, Afternoon

SESSION CHAIRMAN

Dr. N. B. G. Taylor

SPEAKERS AND PANEL MEMBERS

Ms. Sandra P. Roth
Mr. Don S. Kovacic
Mr. Stephen L. Salyer
Dr. Ronald J. Pion
Dr. Jacqueline M. Falk
Mr. Dale Goodner
Dr. Herbert Sandmire

A Look at Birth Control Laws in Wisconsin: A Student Project

Part One Sandy Roth, Student
University of Wisconsin-Green Bay

Part Two Don Kovacic, Student
University of Wisconsin-Green Bay

PART ONE

The Wisconsin state law dealing with birth control in effect brings about compulsory pregnancy. Today at lunch I heard a quip that I would like to share with you before I talk about this law. The quip goes, "No woman should be compelled to labor under a misconception." This is contrary to the view held by many that promiscuous sexual behavior should necessarily require responsibility for the bearing and rearing of children consequent upon this promiscuity. Responsibility, however, goes far beyond this. We are responsible to our children; we are responsible to our children's children; and we are responsible to others' children. We are also responsible perhaps even to other species of animals, and we are responsible to the environment. Now, I would like to read the three parts of the Wisconsin state birth control law that we worked with.

The first point I would like to make is that the law uses the term "indecent article" to describe a contraceptive. An indecent article, according to the Wisconsin state law is, "any drug, medicine mixture, preparation, instrument, article, or device of whatsoever nature used or intended or represented to be used to procure a miscarriage or prevent pregnancy." The second section we worked with states that, "no person, firm or corporation shall publish, distribute or circulate any circular, card, advertisement or notice of any kind offering or advertising any indecent articles for sale, nor shall exhibit or display any indecent articles to the public. The third section (Section No. 4 of the Act) will be our major concern in the rest of this talk. It states: "No person shall dispose of or attempt to offer to sell or dispose of any indecent articles to or for any unmarried person." An unmarried person can be 40, 50, 60, 70 all the way up to 110: if he is unmarried he cannot receive contraceptives. The Act goes on from there to say that "no sale of any indecent articles shall be made except by a pharmacist registered under this chapter or physicians or surgeons duly licensed under the laws of this state." These are the sections of the present law that we concerned ourselves with. Many of the bills that were introduced into the Senate and the House to replace the existing Act and which never made it out of committees or which failed when they got onto the floor, would have repealed the final section (number four) prohibiting the provision of contraceptives to the unmarried person. What we attempted to do was to ascertain attitudes of the people in the Green Bay area toward this section and we chose to interview the professional people, doctors, lawyers, religious leaders. We also wrote to some of the senators and legislators in Madison and went down and talked to some of them. We attempted to determine their basic reasons for either their support or their opposition to this law. We were especially interested in their views on provision of contraceptives to the unmarried individual and to minors and to the bills that were defeated. The part of the paper I'm taking is the arguments that were given in support of the present law. I can start out with the opinion stated that this law is a criminal law, that a criminal law is an expression of the moralities of the majority of society, and that because the law hasn't changed, because it is still on the books, so somehow or other the morality of the majority of society must also remain unchanged. According to the person who presented me with this line of reasoning, the law is serving its intended purpose: it is preventing people--unmarried people--from receiving contraceptives. He says that people--unmarried individuals who wish to receive contraceptives now--have to break a law and therefore become hesitant and feel guilty about trying to buy contraceptives for fear of being caught. If they break the law and can be punished, he said, because of this deterrent effect the law is doing its intended purpose. Further, he said that if this law were taken off the books, these people would feel very free to go up to the drugstore, buy contraceptives and have premarital sex, and this would lead to an increase in promiscuity. And an increase in promiscuity would lead to a decrease in the morals of society. This would happen because the young people of today would become more interested in making love and would spend all their energies in making love instead of applying their drives and ambitions towards their goals in life. So somehow or another, this respondent concluded, the morals of society would seem to degenerate and that's not right. Another argument given to me was that the present generation should believe in the morals of the past generations. The morals of the past generations seem to have done a good job in raising our parents and they had no need for premarital sex. They were happy and contented to wait until they had gotten married and had two or three kids. That was when they had sex. "If they didn't need contraceptives, why should we need contraceptives?" The proponents of this argument don't seem to realize that the world is a different world from the one they lived in or grew up in and that maybe there are more pressures on us today. Another point mentioned was that by making contraceptives available, sex permits a power play on the part of the women. In the past the woman was very inhibited as a result of having so little control. Contraception was up to the male because the male was the one who was able to obtain the means. She would, as a result, be afraid to make passes at the male because they might end up in bed together with the chance that a baby could be born creating an unwanted, messy situation.

When contraceptives are readily available to the women she would have no hesitancy about blowing in his ear or running her hands through his hair, of general playing up to the man. And so they would end up in bed together without fear of pregnancy. It would just lead again to an increase in promiscuity. Furthermore, by making some types of contraceptives available there would always be a chance of an increase in venereal disease. Whereas the condom also prevents the spread of venereal disease the oral contraceptive pill does not. There has been recently an increased use of the pill with a commensurate decrease in use of the condom and an increase in venereal disease. The increase in promiscuity permitted by the contraceptive effectiveness of the pill therefore leads to an increase in venereal disease. All this is laid at the door of increased availability of the pill. The next point brought out against making the pill more readily available was that not enough concern is given to the women's physical health. She goes to the doctor to receive the pill and of course if she goes to a doctor to receive the pill it seems evident that she's having premarital sex. And that the doctor would rather see the prevention of the baby than have to perform an abortion or see a messy situation with an illegitimate or an unwanted child. And therefore he'll usually prescribe the pill. This view holds that because of the way the law is today, these women often are forced to go to doctors that aren't their family doctors, to doctors with whom they have had no contact before and who know nothing of the woman's case history. These doctors, it was stated, would know nothing of what's wrong with the women and therefore they wouldn't be able to really help the women to avoid deleterious side affects of the pill. The doctors are able to warn that there are serious possible side effects of the pill (like clotting which is very dangerous) but are unable to advise the women of the risks specific for each woman. And so, as I see it, the law creates the problem. It appears to me that what the proponents of this view are saying is that the pill shouldn't be available because the doctor who is not the family physician doesn't have time to get to know his patient. And if the pill was accessible to these individuals they could go to their own doctors who would have their case histories and be able to tell them exactly what they're getting into by taking the pill. Still another argument I have been given in support of the present law is that there should be a respect and understanding for the act of intercourse, that the act of intercourse should be used only for procreation, that it's a beautiful act that it should not be a pleasurable act but should be just for procreation. If a child is wanted, so goes the argument, that's when to have intercourse. And people who use this act before they are married don't understand it and they don't respect it, they can really mess themselves up and hurt themselves. Most people know, the argument goes, that someone will be hurt coming out of a relationship in which there has been premarital sex. My view is that most people who go into premarital sex know pretty well what they're getting into. If they've had any sort of education, or if they are willing to accept responsibility for what they are getting into, they probably have some understanding of what they are doing. Maybe they don't have the respect for the sex act that's called for by the argument just advanced, but I think thay have some understanding. The last argument presented in support of the present law is that any type of contraception is immoral and wrong because it goes against God's will. The only type of contraception believed in by those who gave me this argument was abstinence and rhythm. And most of the people who gave this argument had seven or eight children. And so you know whether or not the abstinence or rhythm were in fact being practiced. And it seems to me that the proponents of this view say that all other types of contraception are wrong because they're going against God's will, because God's will is that the act of intercourse is for procreation alone, that by stopping conception inside the body rather than by abstinence or rhythm, God's will is really being denied. Under those terms, any type of contraception is immoral and wrong. These are the main arguments given to me in support of the Wisconsin State birth control law. Now I shall turn over to Don who is going to discuss the arguments of those who opposed the present law and wanted it revised.

PART II

The first idea which I'll be talking about this afternoon is a continuation of what Sandy was just talking about, but on the opposite end of the spectrum. I'll be presenting the arguments which we received against the present contraception law. In other words, those arguments which favored changes in the law and which supported the bills which were defeated in the House and the Senate in this state. Basically, these arguments fall into three categories. First is political, second is moral or those involving personal opinions and the third I list as sociological for lack of a better term. In other words, those which involve the society in general or social change. One of the strongest arguments which was presented was that by a State legislator when he said that the arguments for and against the present law were basically unconsequential since it was a political matter only. He said that people in the legislature were basically politicians and that that was why they were there. Therefore, they live by political rules. One of these rules was that it was better to offend a passive majority rather than offend an active minority. Since there was such a strong contingent in Milwaukee and other areas which favored the continuation of the present law, many legislators voted against it since it was a roll call vote. Therefore the bills were continually defeated. He stated the idea that if it had been a voice vote instead of a roll call vote it would have passed by a great majority in the very early stages. The second point which is political is that the law creates a double standard by discriminating against the poor. The idea here was that the rich or upper middle class, middle class even, could get the educational needs and doctors advice etc. and therefore learn of contraception uses and the whole range of that involved. While the poor on the other hand had to obey the law unknowingly. These people who were poor did not have the social advantages of doctors and educational advantages and so therefore they did not learn of these things. Many people who present arguments for the law said that morals were very strong issues as Sandy just said. She presented things such as the God idea, etc. and the people that were against the law also said that morals were very important but on a different matter. These people said that the decision to use contraceptives was a personal matter and therefore it was each person's individual right to decide whether the use would be his. The social ideas were very strong and an argument which was presented in each case was that of illegitimate births. Many people have talked about this before me. Dr. Pion and the other speakers have gone into greater detail than I have or will but the basic idea was that by reducing illegitimate births through contraception a person could help society in general. One way in which this could be done is by reducing social costs in caring for illegitimate children in foster homes and programs and all sorts of matters like that. It is the idea of many people that it is basically impossible for adolescents in this time to abstain from intercourse. At this time puberty is occurring at an earlier and earlier age while the requirements socially for education and jobs are putting off marriage until later and later ages. Premarital sex is becoming a necessity in many cases. A third idea which is basic to the entire range of this is that a change in the law which would allow for contraception and therefore reduce population would help slow environmental damage. It was presumed that this really wasn't a consequential thought since environmental damage is due mainly to other factors but in some sense this would help greatly. From all of these ideas which we have presented, we tried to discern them and come up with some opinions about the effectiveness of the present law. Also, whether new bills should be introduced and what they should contain and things like that. It would take a long time to refute or prove all of the arguments which we have presented and since you could find a fact to support both sides it would be pretty useless. Therefore I would just like to go into some questions about what the law contains and ask you to bear with me. I realize that since the Massachusetts court decision, there's a good chance of Wisconsin laws being changed now. But in an overall view, the same idea applies to many other laws on the national level of government and also in implementing programs like that. The first question which we went into was how is the present law serving and effecting the married segment of society? The law, in purpose, is hampering the accessability because of limited display and education and that range. In this manner, many married individuals do not learn of effective birth control means before it is too late. In other words, they don't consult their doctors or they don't look into it until they've had an unwanted child. One person put the figure at 50% of people born third in the family as being unwanted. And that is pretty high considering the things involved. Therefore if this law were changed it would not only help married people of Wisconsin, but it would also help those people born third in the family. One of the biggest questions in this law would be the effect upon single persons and a lot of questions are involved in that, but the biggest obviously is illegitimate births. In the past many people have--well the law in essence has tried to control premarital sex by preventing contraception. It was felt that if contraception was not there premarital sex would not happen, and since people are rational and don't want to have kids out of wedlock, sex would be prevented. But such wasn't the case, and I think there were about 6,500 illegitimate births in Wisconsin last year. So obviously a new solution is needed and the best solution I feel is the use of contraception. A lot of people have toyed with the idea of abortion being used as a population limiting device but the psychological range of problems involved with that are so extensive -- and the middle man is involved as Dr. Pion went into -- that contraception is much better because the individuals control it themselves. A second idea of this is that people often, upon knowing they're pregnant out of wedlock, decide to go into the forced marriage situation. This is really basically a disaster because the marriage occurs and the people many times don't know each other or they only partially know each other. It often works out to a divorce case and a broken home which may cause the child to be harmed. Again, society would be added to if this would not occur. I don't think I'll even go into the idea of abortion since it is so complicated with the legal aspects and everything else, but its got to be thought about when discussing this idea. The final question which is really important in a law such as this, and in many laws, is that concerning the availabiliby and education of the people concerning birth control. One point which always comes to mind when I think about education or the controlling of educational ideas is the Scoops Monkey trial in 1925 where evolution versus religion was the big topic. It seems to me to be very similar in this idea where religious ideas are more generalized. In essence, ideas and views are governing the teachings in school, and this teaching would be the teaching of birth control and contraceptives etc. I can't understand why people would want to limit the knowledge of other people. It's almost an act of the middle ages to preserve a social standard and to continue on a social way by limiting education. By holding back the information you would cause a stagnation. But past the idea of education, there has to be a program of great availability since you can know about it as much as you want but if you can't obtain it it's pretty useless. I haven't -- well we haven't really decided the best means for distributing the contraceptives since a whole range of ideas is involved. Firstly, it is important that people get the best type of contraception for them and that it would be effective and safe and it acts as they wish it to act. Therefore at this present time it would be best to keep the idea of doctors and pharmacists distributing contraceptives. But eventually, hopefully, this idea would change and have people who were knowledgable and educated in this be able to distribute them and have the community benefit. In conclusion, I would like to say as I said before, that this now seems fairly outdated since the law is almost bound to change because of court decisions. But, as many other people have said, there have been polls, and committees, and happenings on almost all ranges of the population question, but often government was slow to act. It seems like this is a major case here. The Wisconsin legislature was six or seven years in acting and still they haven't acted. The only reason why the law is now changing is because of a court decision. On the national level, court decisions changing laws becomes harder and harder, and so the population solutions on the national or even world wide level become harder and harder to bring about. Thank you.

DISCUSSION

DR. TAYLOR:

Don and Sandy are a Chairman's delight -- they're ahead of schedule The floor is open for questions. If there is anything you would like to throw at them right now, please do so, but I would like to make a comment first: I have observed that Sandy is really an old pro. You couldn't see it from where you were, I think, but she has written her notes on a paper table napkin.

DR. PION:

I had an irreverent and irrelevant thought during Don's remark about asking for opinions. The thought I had was how many people might have been offended if when Jesus gave the sermon on the mount he was wearing a tie.

DR. TAYLOR:

At Don's expense, one up for Dr. Pion.

JACQUELINE MACAULAY:

Could someone give me an estimate as to which side has the most emotional ferver--Pro or con?

SANDY ROTH:

I'd like to basically say it was probably the people in favor of the bill. I talked to one man personally for two hours and at the end of two hours I had to leave because I had to get back to school and study. He was going to keep me there for four hours if I was willing to stay. What he said basically was that they were really in support of this bill and saw no need at all to change the law.

DON KOVACIC:

I think in most cases of emotional versus rational arguments, or arguments of logic versus emotional, the persons using emotional arguments tend to get worked up whereas the people using factual arguments tend to remain calm and present their logical argument. For the most part, I talked to legislators and they tend to be pretty calm anyway so I really couldn't tell, but the overall view was that the people that were for changes were more logical and less emotional. One more thing is that they were pretty well divided in the community and the religious nature of people being for and against so in our survey there was no really majority either way.

JOHN SHIER (UWGB):

I would like to make one comment and that's this. There has been a tendency, I think the majority of people in this room are from the nature of the discussion we've had, pretty much let us call ourselves a liberal audience regarding questions of population. We're interested in the things that have been said and not too hostile to them. There's been a tendency throughout this meeting and other meetings, I think, manifesting itself very subtlely to assume that we have in opposition here the forces of reason against the forces of unreason. The forces of reason against the emotional arguments. I think this is a very understandable kind of assumption to make. I should like to point out that there's absolutely nothing irrational about Father Schommer's comments yesterday. They were some of the most rational comments made in this room, and I mean by that simply this. Given the initial assumptions from which that man operates, the logic of his arguments is impeccable, probably far better than the logic of the arguments very often given in favor of population limitation, contraception, abortion, etc. I don't think we do, again assuming the generalized liberal stance of this room, our own cause any great service if we allow ourselves to get this dicotomy set up, reason against emotion. Our problem is ultimately to get back to an examination of the fundamental assumptions which are being made. Father Schommer very clearly told us yesterday that the position of the Church is that the dignity and destiny of man can only be understood in the light of the life hereafter. And the side that is being argued here, by and large, does not regard that as a relevant consideration. It's concerned about the same things, dignity, quality of life, and the destiny of man as defined in terms of the three score and ten, or if Jacci is correct, the four score and ten that we can expect to live here. Given this fundamental diochotomy of initial positions, there is no hope for a resolution, it seems to me, at the level of practical questions. And this is part of what I was trying to say when I was talking about a myth yesterday and I think again this is where we ultimately have to penetrate unless we all agree on something and then I want to talk about the means of a particular program which I think you've done very well on starting us off on.

DR. TAYLOR:

I think Professor Shier's point is very well taken. Irrational arguments and logical arguments both can be presented either unemotionally or emotionally and I think the point being made by the speaker here was that he detected more emotion, not less rationality among the opponents to revision of the bill.

DR. HUNSAKER (State Division of Health):

I'd like to make one clarification of the law. I think that they did not distinguish between "sell" and "distribute" and the law is very clear in this point in paragraph 4, you're referring to 450.11 statute, it says physicisns and pharmacists may sell, but it does not say that they are the only ones that can distribute. And this is a legal point that has been cleared by legal counsel and with the Attorney General that anyone can distribute but only a physician and a pharmacist can sell the commodity and this is the point in which many of the family plannin programs in the state operate. Outreach workers can distribute foam, they can take it to homes, they can give it to women, but they cannot sell it. The other thing is that I think we should take into consideration your evaluation of this as the legality of restraintive trade, as might affect physicians. I am a physician. I am unmarried. I can sell contraceptives but I cannot buy them in order to sell them and legally this is constraintive trade and I think that this is a discriminatory law in that respect and it should be considered in evaluating this law.

DR. TAYLOR:

Thank you Dr. Hunsaker. Please don't get too far from the microphone, I have a question to ask and that is if under the law the distribution as opposed to the sale is permitted to unmarried people.

DR. HUNSAKER:

Under this law, it is not permitted to the unmarried, that is very clear. There are about three things in this law that are very, very clear and illegal. One is to dispense or give away, however you want to do it, contraceptives to the unmarried but this does not say a thing in the world about talking to them, educating them, counseling them. It only talks about the distribution to the unmarried. The other is that it is illegal to sell them in vending machines no matter who buys them and it makes clear what the penalties are.

DR. TAYLOR:

How does the law distinguish the conflict in your particular case being single and a physicisn?

DR. HUNSAKER:

I don't believe I understand the question.

DR. TAYLOR:

As a physician you can purchase and as an unmarried person you can't, you're prohibited.

DR. HUNSAKER:

As a citizen or as a say Dale Hunsaker, I cannot buy these, I cannot sell them. But as a physician I am allowed to sell them but I don't know how I'd go about buying them. I've done it for some 20 years but still it is an illegal thing and if we're talking about the technicalities of the law, I do think we have to take into consideration the legalities of restraintive trade.

JANE BRUHALT: (Family Life Educator at the University of Wisconsin-Madison):

Maybe Dr. Hunsaker could clarify something for me: as an educator, is it legal for me to display contraceptives to a class of adults, some of whom are married and some of whom are not?

DR. HUNSAKER:

The Attorney General and Judge James Doyle have ruled that an educational setting is not a public meeting, and this in the first place in the first paragraph of this law, talks about a moral judgement. We have a moral judgement put on us by the State of Wisconsin. And it talks about distributing, and it does not talk about counseling, it does not talk about education. It talks about the public. This meeting here today is not a public meeting, this has been ruled by Judge Doyle as as educational meeting and it is on this grounds, and this grounds alone, that Bill Baird was cleared in Madison when he went to the University of Wisconsin in Madison and displayed this sort of thing. These are not public meetings, they are educational and under the law this is permissable. That is from the federal judge ruling.

DR. TAYLOR:

There is a further point, I don't know how significant it is, but when we started a course two years ago called Fertility, Reproduction and Family Planning, we sought legal advice from the University attorney on the display of contraceptive devices in the class. The question was, could we show slides and the ruling was 'yes' in view of the fact that the class was not compulsory, and that it was not a required course. I don't know what the reply would have been if it had been a required course, but that was the wording of the letter from the University attorney.

GALE GUTHRIE (DePere):

I think what we're talking about is the masses, I hate to use that word, say the people that aren't here today. It occurs to me that when you talk about emotionalism versus logic, that when people are frightened by forces they don't understand or simply refuse to understand, to learn about, they do act emotional. I think that as "educated people" it is our responsibility moral or otherwise to rather than come on real strong and frighten these people off, because I would consider them frightened to begin with, that it is our moral responsibility to contact them with understanding and less with a: well you really don't get it or you don't want it rather than let's just talk. I think communication is very important and I think what you're doing here today is fantastic. I really wish somehow we could reach more people than those who are here today. I think that out of the City of Green Bay, the State of Wisconsin, where are we? This bothers me probably more than a lot of other things. We just are not reaching the masses.

DR. TAYLOR:

Your view is shared and I will have some comments to make in my closing remarks.

JUDY THALEY (Madison):

In comment to the need to reach other people, it struck me this morning as someone slightly older than Steve Salyer, that I have not taken a very positive action to try to reach the ends which I believe our country should be trying to reach. If I could undertake a smaller scale thing, what I would attempt to do is try to take some of this information back to Madison. In particular, the content of Steve's presentation on the Commission's stand. I want to try and reach the people in Madison, in the academic community and I hope outside the academic community, by involving other people. To reach the general public in a concerned committed way, not as a confrontation, but as a true concern for where the country is going. One of the points which I hope to raise later this afternoon was that perhaps the people who are here can serve as focal points for getting this information out. There's no need for it to be only Madison, there are certainly people here from Green Bay that are very concerned, from all over the state from other states, I don't know the constituency of the audience, but perhaps we can do some organizing this afternoon and talk about finite goals we can set. I'm personally interested in trying to get a letter campaign going to the White House in support of the Commission, because I feel that this is a very needed thing. I can write my letter but that's just one letter and the people that I contact are a larger sphere and as they contact other people, it could just spread endlessly. So, I'd be willing to meet with people later this afternoon to try to do some organizing.

DR. PION:

Let me make a little plea for humanism. There's a wonderful book and those who have time to read should look at it. It is called "The Intimate Enemy" by George Bach. Some of you undoubtedly have read it. How to fight fair in love and marriage is its subtitle. If in an argument with my wife, which we have, should I be angry and should she quietly say "be reasonable" or were I to reverse that role, nothing upsets people more than quiet reason. Be human. Talk, discuss, and fight, be emotional, but fight fair. There are times when discussion is good and there are times when raising your voice is also appropriate. The point to be made is be alive and concerned. Don't go around whispering about what's right because if you care you will shout.

DR. TAYLOR:

I think that maybe there is enough meat in that thought to sit on it for awhile. Dr. Pion will now tell us about the movie this afternoon.

DR. PION:

I brought four films and selected this one because of Jacqueline Falk's comments this morning. A couple of years ago while corresponding with Alex Doberenz, he got the idea of what some of us meant by "sex education." Earlier today I tried to describe some of the many areas that come under a curriculum that we might entitle Humanism which failed in the thirties. I think that is the topic of this third population symposium. Real people, not global abstract demographic issues, but us and them and them is us.

We went to a film company in Seattle. It seems like a long time ago now; it was in '68. We had no money and they did. They were making educational films and we thought they could make money so they took a flier. They didn't and so only four films have been produced. The problem we think is that they didn't prepare parent guides, teacher guides and student workbooks. We'd still like to see this happen. We sent Alex Doberenz the first of our films. We jokingly labeled all of these as obscene films because they dealt with issues that weren't dealt with. Things like single parents and death and the extended family and identity. This particular film deals with death. It has won several awards. We were delighted with awards but frustrated still because they're not shown in elementary schools. The film, and all the films in the series, are narrated by 8-year-olds for 8-year-olds. Let's show this film called, "The Day Grandpa Died" and try to see it as something that could be shown in a school where the teacher was prepared to discuss death because it will happen to us all and it is not obscene. There should be a workbook that the student would work on with his, and other, extended families. There should be a parent guide so that parents could begin to talk about death with their children who are very interested in death. We tell medical students that if they can begin to handle death they really can begin to handle sex.

Panel Discussion

DR. TAYLOR:

There are two members of the panel whom you will not have met before at this symposium: Dr. Sandmire, who has contributed in previous years, practices obstetrics and gynecology, and Dale Goodner, a student at the University who was on the staff of the *Fourth Estate*. Dale suggested that some people might not know what the *Fourth Estate* is. I insist on using this name because I think it has some inspiration as opposed to the Green Bay News or something like that; anyway, it's the school newspaper. The panel is ready to entertain any questions you may have.

RAYMOND AHL (Holy Family College, Manitowoc):

Dr. Pion, at the present state of Christian morality, a single girl who takes the pill in advance is convicting herself of immoral intentions. As it now stands, the fact that many states permit contraceptives to single girls evidently has not cut into the rate of illegitimacy. Illegitimacy continues high; as a matter of fact, many girls don't take the pill despite the fact that they are available. Now what I'm asking you is, do you think there is a better moral answer, a more acceptable moral answer in a Christian society than the one of having the girl take the pill in advance? If emotions get the best of a girl, maybe it would be better to give her prophylactics to put in her purse and then when the male becomes aggressive she could pull out the prophylactics and in this way not convict herself in advance of wrong intentions, according to Christian standards of morality.

DR. PION:

How would you answer this? In the following rambling way--Adults tell younger people, "Don't Do *It*!! That's for married people!" But what do we say about touching? How are teenagers to hold hands when they begin dating? Look at the binds some moms put their kids into. They want them to date because they want them to be popular in the American-courtship-scheme; and you feel terrible if your kid hasn't been asked to a party. So you put a little more lipstick on her maybe; make her lose a little weight; give her a bra. But what do we say to them concerning their first date? Are they to kiss? If yes--is the mouth to be firm? Are the lips to be soft? Are the teeth to show? Is the tongue to protrude? When in the course of courtship are these varying stages to be *enjoyed*? Are boys supposed to touch girls' breasts and nipples? Are girls supposed to touch boys' breasts and nipples and if not, why not? I do sexual counseling in our Family Planning Clinic and see many married couples seeking help for problems that are *preventable*. Why can't more married people enjoy sex? *Married* people! Look at all the furtive touching that goes on in American cars among young unmarrieds and then when people marry they begin to do "it." Many married people often stop touching! I'm not talking about all married people. But compare how much time fourteen-year-old boys and girls spend in kissing and touching and the amount of time husbands and wives spend in kissing and touching--what a fantastic difference and what a tragic description! Steve Salyer mentioned he never liked the word "illegitimate." There are a number of women who are not married who want to have children. And that's why they did *it*!! There are fifteen-year-olds and twelve-year-olds who want to have babies and when they're pregnant, they're realizing a goal--irrational as it may seem to you. We are so hung up with this concept of *illegitimacy*. We really should be finding out who wants a child and why? Who wants to invest blood, sweat and tears for eighteen or more years and why and who doesn't. Sex is good, sex if fun, sex is clean. Sex can be abused, sex can be dirtied, sex can be wrong. Sex without reproduction, when you're not ready to invest blood, sweat and tears for eighteen years, can be good. For whom and when? Let's talk about that with children. Men and women in marriage often feel comfortable arguing in front of the kids, hating in front of the kids--but affectionate forms of touching?--"Careful! the kids are watching." What's wrong with affection, warmth, tenderness and compassion and modeling such human behavior for children. I would hope that the girl you described would at least come to my clinic where she can get the morning after pill or the morning after IUD because she woke up this morning and said "Oh, my God." You see she had to wake up and say "Oh, my God," because if she did what you suggested she would have been coldly calculating in a premeditated fashion 'coital planning' and you're not supposed to!

CHUCK PFLEEGER (Student, University of Wisconsin Center-Medford):

I'm from around this area but right now I'm attending college at the Medford Center and this question is sort of legal and maybe I should have asked this yesterday but it came to mind that the girl who wants to take the pill is supposed to take it a couple of months before marriage to make sure it works right and so forth. However, for a couple months before the wedding she is single so in this state it's illegal. Is the doctor allowed to give the pill to the girl who is planning marriage--or maybe not planning marriage?

DR. SANDMIRE:

Well, the law is clear that you wouldn't be allowed to prescribe for the unmarried person. This is the law that is stated so whether they were intending to get married or not wouldn't have any pertinence on the strict legal prescription or prohibition against prescription. Obviously in reality, this girl would be prescribed for; many people would say well anybody could come in and say we're about to get married next year or the year after or something. But realistically speaking, many doctors would prescribe for such an individual and really wouldn't be too concerned about when she was going to get married. We would all presume that eventually she would get married. We wouldn't make a big point about when the wedding date was going to come about.

DON KOVACIC:

On those evasive discussions in the laws, it concerns how they are going to handle the question of whether people could even receive counseling before marriage from religious people, etc. and they decided to leave that out in a lot of bills, just because of what you are talking about. What happens if they don't get married, and that then would be illegal, and then the prosecution idea would be really hard.

JOANNA BERENTSON (University of Wisconsin-Green Bay):

I have two questions that were phoned in by Mrs. James Hogan. She attended the previous sessions and couldn't attend this afternoon. One if for Dr. Pion and one is for Steve Salyer. I'll ask Dr. Pion first: Is unwanted pregnancy the only problem to be addressed in the new era in sexual freedom or does the jeopardy to the health of future generations through the rampant spread of veneral disease pose an even more serious problem?

DR. PION:

One of the problems with all our services is that they're categorical, rather than comprehensive and interrelated. V.D. is a categorical service; unwanted pregnancy is a categorical service. Hopefully, when we all leave we will think more in terms of sexual health and reproductive health as a comprehensive service for families and non-families. Girls on the pill, if they're changing partners, whether married or unmarried could insist that their new found partners wear condoms unless they know they're free of V.D. Anyone who changes partners runs the hazard in being given something "other than love." It's unfortunate that 80% of females with gonorrhea don't know they have it. I don't know if that's an answer.

JOANNA BERENTSON:

Now I'll read the question for Steve Salyer: In the new era of families of two planned and wanted children a mother should presumably want the child enough to plan to set aside six to eight years in which to raise them. If she is mature enough to want to plan children, she should be able to arrange her own child care exchange with friends and neighbors. Is there a real need for wide-spread child care facilities in the planned families projected for tomorrow? Is big brother watching us going to be supplanted by big mother caring for us?

STEVE SALYER:

I did say a little about that this morning when we were talking about day care. I think it's true that in other countries there have been informal child care arrangements that have been worked out. In Sweden, for instance, several housing units of apartment style arrange for child care on a rotation basis or by hiring someone within the apartment building to look after children of working mothers as well as children coming home from school without a place to go until their parents come home from work. In our report, we were very careful to encourage private as well as public forms of day care and we did not say that this is something only the federal government should have responsibility for. A few labor unions are beginning to experiment in providing day care for their workers, particularly in industries that have a large number of women workers. Nonetheless, when you consider all the private means that are available for providing day care services, there remains a residual of people who don't have access and for whom high quality day care is beyond their financial means. We felt that it was possible to supplement day care services on a sliding scale depending on income so that people could have the option of high quality day care. I was at a small symposium a few weeks ago when Dr. George Miller of Rockefeller University who is the former president of the American Psychological Association. He was talking about behavior modification and control and the whole set of issues aroused by B. F. Skinner's book, Beyond Freedom and Dignity. Someone from the audience asked Dr. Miller if we were risking the big brother syndrome by government controlled day care, the idea that children could be programmed and their behavior controlled by professionals manipulating their minds and so on. Well, that is certainly not what we had in mind in recommending day care. We did feel that it should be more than custodial; that it should deal with educational development, giving children the opportunity to experience some things that they wouldn't have the chance to otherwise; that it should be coordinated with federal breakfast and lunch programs to insure that children had the kind of nutritional support that they needed to develop physically; and so forth. But the thing I wanted to mention about Dr. Miller's response to the woman's question was that even if we wanted to control children's behavior, the state of the art is just not such that it could be done. There aren't enough trained people around who know anything about positively reinforcing children's behavior in particular ways to pose a threat. I think that at least for the forseeable future, therefore, manipulation of children through day care is not a major concern. These are issues, though, that have to be looked at farther down the road.

DR. PION:

I'd love one behavioral objective, Steve. Brainwash all the children born from tomorrow on that war is evil. Jacci, do "day care" centers limit your thoughts to children or are "day care" centers for older people in society where they can function working as models for children instead of giving up?

DR. FALK:

Well first of all, let me add a comment on the question of day care for infants. Women do indeed make their own arrangements for their infants. What happens is that they find out from their friends who habitually takes care of children in their home, and they leave their children there. If they feel that their children are not well taken care of by one person, they move their children to another person. But this is by and large only custodial care. There is a large population of mothers who must work but who cannot afford the $700 or $800 or more a year to have their child put into a private day care center. These children are not being totally neglected. Their parents are doing the best they can for them. What we would like to see are these children going to day care centers which are properly maintained, which have individuals with some training running them, and which meet the fire regulations. You may recall that about a month ago some children burned to death in Chicago. They were being taken care of in a basement. We would like to have some control to this extent for very young children.

Now on the elderly: I would like to say that there is a foster grandparent program which is now being funded by the federal government on a pilot basis in several communities. These programs bring mentally retarded children and children who have special problems or who are institutionalized together with older adults. These programs have worked very, very well indeed, and I hope it will be possible to extend them. There are other such programs which are involving the elderly with the larger community. There are also day centers for older individuals who are interested in going to them. These centers are not necessarily old person centered; they are making outreach to the wider community with their projects; in adult education, for example. I think that all these things are excellent, and I would like to see them expanded.

MRS. KRAPOHL (Marinette):

I would like to address this question to our physicians on the panel. Can you tell me if there have been any radical changes in medical school curriculums so that they prepare the future physicians to work with the populace concerning such things as sex education?

DR. SANDMIRE:

In the area of contraception sex education, there's been a recent change in emphasis on medical school curriculum, particularly in the last four or five years, but too recent to prepare sufficient graduates to have any impact at the patient level. In spite of lack of formal education in medical school, many physicians find that they're able to do counseling and do it well. Many find they're not able to do it and they, therefore, don't do counseling in this field. To answer your question, many medical schools are introducing into their curriculum formal educational programs for the training of physicians. Some are quite advanced in terms of preparing physicans--truly almost sensitivity type studies showing "dirty" movies and so forth so that the student will recognize his own particular inability to handle this material viewing it on the screen rather than sitting in front of the patient. If when the patient mentions something that is quite embarrassing to the physician he turns pale and starts to perspire and all of this, he hasn't helped this individual who came to him specifically for the purpose of obtaining help. So some of the medical schools have introduced unusual but "not abnormal" sexual behavior material and exposed the medical student to it to better prepare him not only scientifically but emotionally.

DR. PION:

I had an opportunity just before coming to Green Bay to be in Santa Barbara at a conference sponsored by the Center for the Study of Sex Education in Medicine. We feel that every medical student can be trained in diagnostic skills that would allow his being able to uncover sexual and reproductive conflicts among his patients. We would like physicians to ask people if they have children, and whether they want more. A very permissive question for every hospital. The business office can do it. People aren't offended when others say, "do you want more children?" A very reasonable question. What it does, is suggest that all people have something to say about the number of children they can have!! Whether it's eight or two or one or none. A number of films were shown. One was on the way a paraplegic male is involved in a tender, human, intimate, communicative scene with his able-bodied wife. Many doctors don't consider that the disease he may be treating affects sexual relations in marriage. Many doctors tell the post-coronary victim about jogging and handball. The coronary victim thinks that jogging and handball may be all right, but what about enjoying sexual relations with his wife who may be afraid that he's going to die the next time he ejaculates. Is it wrong for the doctor to discuss sexual activity with patients? This has been such a taboo area because sex has been dirtied. When we all decide someday to make it clean again and help children learn that it's wonderful, then we'll be in the right direction.

DR. FALK:

I think that because we are putting the wraps around death and dying, just as we put them around sex, we can consider death as an obscenity that we have to handle. Courses have been added to the curricula of medical schools very recently to enable physicians and nurses to handle the problems of death and dying.

DAN DANOU (University of Wisconsin Center-Marshfield):

Forgive me for moving to a somewhat more mondained facet of the topic; I would like to ask Mr. Salyer, in the work of the commission you mentioned that there have been some societies where a population balance has been obtained, wittingly or unwittingly, such as the Scandanavian countries. Does the commission have access to any data pertaining to methods or how that happened or whether there were any moral questions such as abortion and so forth?

STEVE SALYER:

I agree with a point Dr. Pion made earlier; I'll preface what I have to say by agreeing with his statement that none of these methods, either abortions or other means of family planning, should be viewed entirely or even mainly for their demographic impact on whether or not they slow population down. It is, however, one concern that we tried to look at in considering what sort of means we would recommend for leveling off the population of the United States. We did look at some cross-national data; we looked at the cross-cultural characteristics figuring into this data. It is very difficult to take the United States for instance and compare its reproductive history to Sweden or to Japan or to Hungary or whatever because there's so many different factors that affect whatever the reproductive right might be in these countries. There are some generalities that surface. One of them is that several countries have gotten to a kind of placement level of two child average. A very large number of those countries, I hesitate to say all because I'm not certain of that, but a very large percentage of them have had some form of abortion services freely available. That is not to say that's the only way one could get to a replacement fertility. But it is to say that you look at some Eastern European countries in particular and in the period immediately following the liberalization of abortion laws you can note a very rapid drop in birth rate. In fact, I believe it was Romania that became very concerned about this. Their rate dropped below the two child average so they reinserted the very strigent abortion law to try to get it back up. It's interesting that they did get it back up for a time; now the birth rate has come down again just about to the level that they had when they liberalized the abortion law. So it's by no means impossible to lower fertility through non-abortive means, but it seems to be one of the quickest ways to make the birth rate drop. We're not sure yet what the demographic impact of abortion in the United States will be. We did have some people look at the first returns from the New York experience which I suppose is the biggest one in this country and the one that maybe has enough data to make some generalizations. There was a small drop in the birth rate in New York, but not that dramatic. There was a rather large drop in the amount of illegitimacy particularly among very young people in New York. In some clinics, I think clinics in poverty areas, one of the concerns was whether abortion would be taken advantage of by poor people. The right of abortions is running about 900 abortions to every 1,000 live births which is rather considerable. In some of the Eastern European countries, and I think particularly in Japan, there have been times since World War II when the number of abortions has run considerably ahead of the number of live births. So abortion when liberalized often does become a widely used means of fertility planning particularly when there is not good access to other means of contraception. So when our Commission made these liberalized suggestions to the abortion law, we did it with the admonition that the country move ahead as forcibly as possible to see that people had access to means of contraceptives and preventing conception when it wasn't wanted so that we not come to rely on abortion as our primary means of family planning. That was not how we saw it; we saw it as a backstopping means to take care of contraceptive failure and of other kinds of situations that might develop because of lack of knowledge or information; and we didn't want to see unwanted children being born. That's about the best quick answer I can give.

DR. PION:

Let me add what I think may be pertinent. Hawaii has had an abortion surveillance program since March of 1970 when Hawaii essentially made abortion permissable on the request of an adult woman. Some 90 percent of all aborting women in the state fill out a questionnaire voluntarily. There is a lot of data being compiled from questions such as what did you learn from your parents? What did you learn from your church? What did you learn from your friends, from books? When did you begin your sexual activity? How frequent is your sexual activity? Do you have orgasm with your sexual activity? Questions that really frightened everybody except the one answering the questionnaire who feels very comfortable putting down all this anonymous information because she would like to see abortion prevented and recognizes the confusion that led her to the state of being pregnant but not wishing to be. Much like our studies in Seattle, 60 percent of the women having abortions in the State of Hawaii still do not use contraception, have never used contraception. About 28 percent of the State of Hawaii is Catholic, 27 percent of women aborting are Catholic. Across the nation according to a recent report 71 percent of pregnancies were being terminated before the 12th week. In Hawaii, 90 percent of pregnancies were being terminated before the 12th week. Nationally, 22 percent were being terminated before the 8th week; in Hawaii 50 percent were being terminated before the 8th week. We will be happier when the number of abortions begin to drop. They shouldn't be 300 a month. They should start to fall to 250 and 200 and 180 and 150 and they should go away if people are responsible.

STEVE SALYER:

Can I just add one further thing that occurred to me as Dr. Pion was speaking. Some of the more recent figures on abortion in New York are showing a much larger percentage are occurring in the first trimester, the first 10 to 12 weeks. Also, I think in Hawaii's experience, you probably didn't get quite the number of people flying to Hawaii fo abortions, people who had been waiting for the laws to liberalize, that you did in New York. There were a lot of women late in their pregnancy who came to New York right after the law was liberalized. I guess if, as Dr. Pion was pointing out, you feel better (although not good) about abortions that are performed very early in pregnancy as opposed to very late in the pregnancy, then there are very encouraging signs that as we go on the percentage will become almost 100 percent that are performed in the first trimester. This has been the experience in other countries where abortion has been liberalized. To start out there are a lot of late term pregnancies and as time goes on that changes.

DR. PION:

Please remember that we could be bringing on menstrual periods because we have the technology. How much nicer to respond to a man and a woman who recognize that their menstrual period is late by ten days or five days and bring it on. Theologically it's beautiful because that's the primary action you're seeking. How about if we ask a couple, do you want a menstrual period? Instead of waiting and diagnosing pregnancy and having people come in at four months who want an abortion find them when they are late! The only reason people aren't coming in when they're five days late is that no one has invited them. Please think about that--no one has invited them. The physician has not invited them. We've encountered the enemy and they is us.

DR. TAYLOR:

I would like to ask a question in amplification of part of your answer, Dr. Pion. You said that 90 percent of pregnancies were terminated before a certain time. Do you mean all pregnancies or 90 percent of those that were terminated were done before a certain time?

DR. PION:

Of people seeking abortion in the State of Hawaii, 90 percent seek abortion before the 12th week. Doctors are happy about that because early abortion means abortion before the 12th week. Why do we have to stick to that definition? That's late abortion. Twelve weeks! You can find out of you're pregnant by the 10th day if you want to use current technology. We could be diagnosing pregnancy before the missed period; we have the technology. We've never used it. We can diagnose a pregnancy in a woman before she misses her period. No one does it.

BONNIE DORN (Student, University of Wisconsin-Green Bay):

I realize that some of my comments were initially encouraged by Senator Tydings last night and he's not here to defend himself or perhaps state something more clearly to me. I remember two years ago I was very impressed with Dr. Pion's use of the word "couple" and now you just used it again--"If the couple finds they are pregnant." I found last night that Senator Tydings actually used the words if "she" would like to limit her family. And he used it over and over again, and I got a feeling from this conference that that is very heavily the feeling. It's easy to understand because the woman does carry literally and non-literally the burden of a child unwanted or wanted. I guess what I would like a conference like this to do is not only state and try to understand and help couples, but really encourage a mutual responsibility of the couples for their own sexuality, fertility or any word you might like to use. Couple being defined as individuals who have known each other for ten minutes or ten years or anything like this. Could someone please comment on this.

DR. PION:

Men and women make babies. My wife and I hope my kids know that by now. We do a radio show in Honolulu every Thursday night on population planning, family planning, and human sexual behavior. It's a three and one-half hour show. I have guests, and we have call-ins, and I have people representing all spectrums of feeling. One of the interesting things about call-in radio is the way that people generally behave on the phone when 18,000 people are listening. I'm trying to describe to you that the program we do is a very intimate program. People call in problems. Eighteen thousand people listen to the problems, call in suggestions, responses, etc. We talk about premature ejaculation and virginity. We talk about sex in the aged, we talk about sexual communication with children, we talk about programs in schools, we talk about population. For the next five weeks your symposium will be on the air in Hawaii. We would like the people of Honolulu responding to the people in Green Bay over the next month. They're just like you are. Some look different.

GENE STUKOWSKI (Student, University of Wisconsin-Green Bay):

I was wondering if there's been any research done, as far as you know, on contraception for men besides the condom.

DR. PION:

Why do men have to buy condoms and why do men have to put them on? If we want to think of couples, Bonnie, why is contraception made sex specific? Why can't married men lovingly insert foam into their wives? Why can't married men put in a diaphragm? Why can't married women who love their husbands put a rubber on an erect phallus? Because we don't permit it. We even think of male chauvenism and contraception. There really isn't male chauvenistic contraception--I don't think. You see, the woman is cyclic in her physiologic behavior and the man isn't. And it's much easier to interfere with a cycle than a non-cycle. And the guy makes a lot of sperm all the time. And the woman makes an egg once a month. And it's easier to do something with the egg at the current state of our art. Now we have pills for men. Couple of problems with them. One of the pills makes them grow breasts. Another caused a user to vomit every time he drank something with alcoholic content. There are other pills currently being tested and undoubtedly will be used.

STEVE SALYER:

I agree with Ron that the primary problem is not with the state of contraceptive technology, but on the other hand it is very, very difficult--not only in this society but in other societies as well--to change the nature of sexual relations and response between people. And while I can't knowledgably debate the physiological problems of developing a male contraceptive, I have sat in on a number of meetings where it has become painfully obvious that very little money is spent on research to find a male contraceptive. Granted that there are problems, I personally feel there is room for question here and that in our research into basic physiology, human biology, and contraceptive technology, we should be spending more time and dollars looking at the male as well as the female. As we try to alter the cultural aspects of sex and sexual relations and response, we should not avoid these concerns in our research. In response to your other question, it's troubled me as I've travelled around and talked to a number of women's groups, and understanding that there are a range of women's groups and opinions, that at times in the zeal to incriminate the male (and in many instances we deserve it) people begin to say that all males are looking at all females as livestock and that kind of thing. I think up until now a great service has been played by punching people in the mouth and saying, "Look fellow, I'm not that, I'm a person." This sort of frontal assault needs to continue; people still have to be awakened to the fact that we are all human beings and not something less. On the other hand, Ronald Pion, in discussing a different subject last night, said that when the dog pees on the floor you don't just kick it, you reward it when it doesn't pee on the floor; when he does it on the newspaper, say nice doggie and take him to the door. The same kind of thing can apply to relationships between men and women. I find it very refreshing in that light when I run into people who can be very strong in their fight for equal rights and equal opportunities and for equal treatment of people, but who can also keep a perspective on the relationships of a personal sort. I think that's crucially important.

DR. SANDMIRE:

Can I comment a minute. Encouragement along this line is that tremendous increase in the number of vasectomies has occurred in the last year or two, approximately ten times as many as were occurring annually two years ago. This is an encouraging trend in your wish to have the male assume more responsibility. Whereas the number of tubal sterilizations, ligations, has increased some--maybe doubled or so in the last three years--the number of vasectomies has increased about ten fold and is close to one million per year as of the last year in this country. So this may be partial encouragement for what you're addressing yourself to.

DON KOVACIC:

I think that one interesting thought on that is that the development of the pill was basically so that the women would control the contraceptive. It was developed by an early women's libist so that the woman could control the contraceptive. I think one reason why the development of other types or the male type wasn't continued as strenously was because the pill was very effective.

MR. JOHN SHIER:

I would like to make a comment which really isn't a question, but I hope I'm entitled to a very brief comment. Mr. Salyer just made the statement that we'd like to get these people "waked up" somehow which of course implies that those people are sleeping. Let us proceed on the assumption that the people who disagree with us on various things are either asleep or unconcious or ignorant. When I was tiny, I got all my positive rewards for opening doors for ladies and walking on the outside. When some lady calls me a male chauvinist pig because I open a door for her, I get rather offended. I think you are perfectly correct in that, but I don't think it is a question of waking me up to something implying that I am ignorant or asleep. I'm doing what I was trained and conditioned to do all my life. I was giving a talk to the area Knights of Columbus on population about a year ago. In the course of it, I said something about sterilization and things came up and a lady stood up and said, "Well, I've heard a lot about contraceptives and all this kind of thing, and what I cannot understand is how men go out and have themselves mutilated." In her ball park, sterilization, vasectomy, was mutilization. I think I keep forgetting that shaking hands at one time had a purpose. You demonstrated you didn't have a weapon in your hands. Walking on the outside had a purpose--you were protecting the women from carriages and runaway horses and things. Females carrying a certain burden for reproduction had a purpose in a particular human context. Males being dominant had a purpose. If you've got to clear 40 acres of stumps, don't send a woman out to do it. She may have lots of talents, but she doesn't have the muscle for it. She's not built for it. I think you know we're not so much dealing with ignorant people or purposely wayward people or people trying to just fight us for the sake of fighting us. If what we say is a more adequate myth for our time, this isn't saying that somebody else is wrong. We're suggesting we need a better way of playing the game. Or maybe a different game to play. But it's not you're playing the wrong game. Come on, let's try my game--see if things don't look a little clearer. See if a lot of your problems don't get sorted out when you play it my way. I think, Ron, you've been very good in the terminology of use, consciously or unconsciously, without letting these kinds of invidious comparisons creep in. You say, why shouldn't we look at sex as a pleasurable thing for recreation as well as procreation--which is a much more beautiful way of saying it than saying: you know, people who think that sex is just for procreation are backward or ignorant or asleep. If all of us can get geared into this different way of assuming things, our own primative assumptions, I think we can make progress.

STEVE SALYER:

Could I just say one thing on that: And that is, I agree with you, and I have agreed with you and Dr. Pion the whole time--that is, with one exception. For the kind of exchange you are talking about to take place somebody has got to be listening. I think back to the urban riots in the United States and a lot of good people were going and talking to very well-meaning businessmen who were, in effect, shuffling them over to talk to the PR director and forgetting about the problems. Then one day some buildings were burned down and they weren't talking to the PR director, they were talking to the president of the company, and he was listening. I think the same thing has been true of the women's movement. I have sat in enough Senate hearings and watched the guys sort of chuckle behind the desk up in front and say to each other, "look at these idiot women." Nobody really believed them and all the marks of male chauvinism abounded. I feel that a straightforward and rather hard-hitting attack at the outset sometimes can jar people enough so that they start to listen, they start to respond, to arrive at better formulations of things. And that's really all I was saying.

MARY ELLEN KOLKA (Green Bay):

I'm changing the subject just a hair--not too much. I was very intrigued when you were speaking this morning, Dr. Pion, regarding what are the things you would like to see happening; that is, having babies in schools and having children learn to become parents at a very early age. That really sounded quite interesting. As I thought about it, I remembered an article I read last year, I think, about a couple of high schools in the United States where girls who were pregnant were continuing their high school education. The other students were looking on, I suppose you would say, going to school right along with them. I remember seeing couches so the girls could take naps during the day if they felt like they needed it, and also bassinets and little cradles and cribs and so forth for those who had already had their children and were taking care of them while they were still going to school. I wondered if you were familiar with this, or what comments you might have to say about this.

DR. PION:

One of the things that has happened in our country and "civilized countries" is that the two most significant occurrences are removed from the home. One is birth and the other is death. We could avoid identity crises if we just allowed life to be as it is, and let children learn that very early on. I believe we would be better off. John saying he was conditioned to walk on the outside--that's very true, but he doesn't have to bring that condition to bear on his children if that might offend females any longer. It would be very human for boys and girls to care for other, littler human beings. There was a time when we were pushing for pregnant girls, if they wished, to continue in school; to be allowed to make that decision. I certainly feel that you should stop pushing algebra, geometry and history and give credit for childbearing courses. That seems to be more of a priority. I never cease to be amazed that good educators will take pregnant girls out of a program, put them into another program and teach them history, civics and all other things so they can graduate, instead of teaching them baby care and childbearing. Where's the priority; what's this nonsense about these other courses they are jamming down. Some are getting A's for the first time because of the small classroom. But there is so much to learn and do about child development--what a groovy course, especially for highly motivated people who are about to have children. But we don't do it; we don't do it. And that's our problem. We don't do all the things we really should do; but instead, do these other things that have come along traditionally. What the devil are the three R's supposed to be for. Look at the exciting things we can do in school. I'm supposed to be in support of the educational process, but I have a difficult time. I'm talking now and the words are so clichéd--"relevant education." What does someone want to learn? And that is what I wish we would begin to teach.

SANDY KAHN (Student, University of Wisconsin-Green Bay):

Well, after hearing all this talk about population explosion, population problems--I feel what's the use. There are so many aspects; I just don't know where to start. But there is something going on in the Wisconsin Legislature that does need help and it could have some far-reaching effects. What it is is some kind of population commission that they are trying to establish right now and it is going through the House--and it really needs public support. If you want more information, you can write to Manne Brown, he is the representative from Racine. He sent me a copy and it sounds like a pretty good deal. They want to establish a board that would review the population trends in Wisconsin and the effects it is having on people and what they can do about it. He said that it really does need public support. One thing that I wanted to ask is about vasectomies. I heard that tube tying can be untied and that it is reversible in some cases. Would anybody know how that is coming along?

DR. SANDMIRE:

Well, the reversibility rate is very poor and very low in tying tubes. There is some experimental work going on to perhaps devise a method where the success rate of a reversible operation would be greater than it has been. It has been on the low side, perhaps 10 percent. We really recognize that people aren't always able to know what they want ten years in advance, but I certainly would discourage anyone who is the least bit indecisive not to have an operative procedure, whether it be tubal ligation in the woman or vasectomies in the man. The reversibility rate in the man is much higher, with a 40-50 percent success rate in reversible operations and restoring fertility, than it is in the woman. Presently, though, even with the success rate of the reversible operation in the man, if the couple has to ask me what the chances of successful reoperation are, it makes me uneasy and unconvinced that this is the right thing for them. If this was the only form of contraception that was available, I would say: Well, they make their decision and if they happen to make a wrong decision, that's life. Life is a series of decisions; we all make them, some of them are incorrect. I would, on the other hand, try to sell them on the idea of a method that is 100 percent reversible; that is, some form of contraception that can be discontinued with prompt return of fertility in 100 percent of the cases.

DR. PION:

It is worthwhile noting that even when the good doctors talk about reversibility, they are not talking about the right thing. They are talking about reestablishing the tunnel--they are not talking about pregnancy. No one cares about reestablishing tunnels; they care about pregnancy. So for the moment, that's the advice all doctors should offer couples interested in permanent contraception. Zero reversibility--and if you change your mind in ten years, please consider adopting. And if there is a problem in parts of the country with adoption, that's because we act like we live in separate states. Children are born, and there really should be no difference if a child from Mississippi is adopted by a Hawaiian couple or not. More importantly, children are born outside of the United States. And if we are going to look at changing laws and changing policies and changing concepts, let's look at children; let's look at people who wish to be parents; let's tie them up if that means we have to get away from this genetic mystique of making people to look like us; let's raise people to act like us if we act well.

SANDY KAHN:

I know in one state that if you are married and have one child, you can't adopt any more, which I think is ridiculous. Something else that wasn't mentioned, I didn't hear it anyway, was about trying to talk to minority groups about birth control. I know that some subcultures in the United States feel that birth control is almost a threat to their race and their culture is against limiting the family. I was wondering if there is any work being done on that--just talking to some people in that minority group trying to make them help their people understand what birth control is about?

STEVE SALYER:

It is true that a lot of minority groups in the country look with suspicion on family planning programs. And I personally believe with some good reason. I'm not saying that family planning has been a plot to stamp out minority groups. I don't think that accusation is fair or right. But, for instance, if you look at a map of where Planned Parenthood has put their clinics in the United States and put an overlay over it of the inner cities of the United States--they match up pretty well. We haven't done much to serve the rural poor; we haven't sought as we should creative ways to see that we serve suburban people that have not been getting access to contraceptives. I talked with one black woman who told me that, "I live in New York City and I can call up for my monthly visit to the clinic and I can get them to come out, provide free transportation, pick me up, take me to the clinic, take me home--if I need something to do with my children they have day care for them while I'm at the clinic and so forth," she said, "but my little boy woke up with appendicitis one night and there wasn't anyplace I could call for free transportation and if I called a public ambulance it might take hours for it to get there. I had nobody who could come to stay with my children while I went to the hospital with him. Why are they so interested in how many kids I have when they don't care about the health of my child?" I think it is the same sort of situation we were talking about last night with some women from close by who were working in a Chicano area of a nearby community. They pointed out that their community needs comprehensive health care. It doesn't just need pills and IUD's and foam. I think we have to start thinking of contraceptive care, prenatal, postnatal care and the whole range of health services that people need. If we look at it very narrowly they are going to be suspicious and they are going to have good reason to be suspicious.

DR. PION:

There are good ways of working on a suspicion. I learned in Seattle when we were dealing with a black area, to work with black people who felt just as I did. Dr. Julius Butler, who is still in Seattle, is one of the world's beautiful people. I would no more go into a black community to discuss family planning without Julius than I would go into a Samoan community in Hawaii without a Samoan. You know, for the moment, because we are nonhuman in our relationship with each other, the game that is to be played is like talk to like with resource people around who have some opinions. But I think the three women I met last night probably do a groovy job because they look like the people they serve. And, if you don't look like the people you serve, then the people you are serving wonder why you're there.

SANDY KAHN:

An Anglo can cause a great amount of harm when he comes into a Chicano population and tell them they will have to limit their families, and in their culture it is good to have a lot of kids and they are really negative about the whole thing. You have to be very careful how you approach people.

STEVE SALYER:

Just one other thing on that, and that is that there is every indication that the black women, the Chicano women, and other minority women all around the country do want access to family planning services. In a lot of the militant organizations you find that women are saying, "Hey look, there are men running this organization; they don't have to care for the babies; they are not the ones that bear them; we want to be able to see that we don't have more children than we want in trying to satisfy our husbands." There are other things at stake here. People do want access to the contraceptive services, but it is a matter of how you present those services. I think you have to be very careful and considerate of the values and needs of those being served.

DON KOVACIC:

I'm not so sure that the whole idea behind the minority population control is controlling the minority population per se. I can understand the feelings for that. But I am not sure whether or not the whole idea is to maximize efficiency with putting in an urban center in a place where people do not have the money or the influence to go and see doctors and such. So, there is some reason for minority groups to wonder about population control. But, I think a great deal of it is just inadvertent.

DR. PION:

Right, and maybe, if you put a Planned Parenthood clinic in their city, just make sure you look at the people you hire to run it. That's all people really need. We had a clinic run for many years by white people in a black community; well, when you begin becoming more sensative and human, you hire black people to run it. Then you build your other clinic in suburbia because there are a lot of kids out there who want contraception. They want to avoid pregnancy and abortion. The black community is very happy to see the suburban Planned Parenthood clinic open; they really are. It was a need. I want to say the following to some of you who are very concerned about population because I'm concerned about population too. If a Samoan lady who has 10 kids and has split from her husband comes to me and I find out she is living with a guy who before he marries her wants her to prove her fertility, and she's on Welfare, our clinic will do whatever infertility studies are necessary in this man and in this woman to help them have a child. Now, we might also talk with her about how she is making it with the other 10 kids, and we might talk with him about the X number of children he had with his other wife. What I am saying is that we will help them have a child through infertility studies because we are in a voluntary situation. Just like John suggesting he doesn't want to feel guilty by walking on the outside of his wife, I don't want anybody to feel guilty because they have 10 kids, or 8 or 12, or 1 or 13. Now 40 years from now when the government and the people who live here have been doing all the wonderful educating that everybody keeps talking about doing, maybe it will be offensive for somebody to have 14, especially if they are rich, especially if they are giving a car to each of the 14. But for now, please, don't come on heavy with people who have been living just like you have been living. That's a very important message.

JIM WARPINSKI (Student, University of Wisconsin-Green Bay):

This question is probably best addressed to Steve Salyer. Perhaps you've said something about this earlier, but I may have missed it. Do you think that the attempts to control population are being directly hindered by current government policies with regard to taxation; and, also, the corporate policies with regard to expansion, this being a growth-based economy?

STEVE SALYER:

Well, I touched upon that quickly, but I will say something a little different. First of all, we looked at a range of tax policies. We didn't find any way that you could structure a tax policy such that you would penalize people or encourage them to have fewer children without having that encouragement or that penalty passed on to the child. And we didn't want to prescribe any kind of solution that would hurt the child and his chances for sound development. Also, we looked at Welfare because that's a situation that people talk about a great deal. "Well," they say, "if people on Welfare would just not have so many children..." Well, we found out, first of all, that people on Welfare don't have that much larger a family than the average. In fact, people on Welfare have about one-half child more on the average than people who are not on Welfare. When you correct for other things like education and income and so forth, you find almost no difference at all between those people on Welfare and those people not on Welfare, although you read about and you hear about the very large families.

JIM WARPINSKI:

What about corporation policies in this country; would they have any effect, also?

STEVE SALYER:

Very few corporations have so far addressed themselves to issues of population. They have come in a little bit on environmental issues. We are finding, as I said a second ago, that some unions and some corporations are attempting to provide day care for workers. A lot of people say that if you provide care for a woman's children, she will be encouraged to have more children because she won't have to provide so much of her own time to work with them. We feel that is a little hind-ways forward, although there might be some short-run effect of encouraging a very small number of additional children. In the long run, this is far outweighed by giving people other alternatives and other responsibilities besides having and rearing children. In the long run, if it has any effect it should be antinatalist rather than pronatalist. I think you were also implying something about economic growth as being an inducement for further population growth. It was our finding that it was not necessary for the country to experience further population growth beyond that we already were going to experience for us to continue economic growth. Now, there is another question which is, "Do we want to continue to grow at all economically; do we want the GNP to go up year by year; do we want the per capita income to go up year by year, or does this sort of lead us down the road to doom--eco-catastrophe, or whatever?" It was our conclusion that it wasn't so important whether the economy continued to grow or not; and in fact, probably the economy would continue to grow, but that what was important was how that economic growth was used, how it was harnessed and what ways it was directed. It is our feeling that if the country put more of its economic resources, whether the public or the private sector, into services development, investment in human resources, providing better medical care, developing better urban mass-transit systems and in getting on with the business of cleaning up the environment and so forth, economic growth could help us to solve some of these problems. Economic growth does not have to be a negative experience. It is really a political decision how we employ economic growth, rather than there being something inherently evil in economic growth. I suppose that this is the conclusion we came to. Personally, I'm not saying whether or not this country is going to politically redirect the use of economic dividend in the next few years. I'm very concerned that we not continue to spend it all on automobiles and motorboats and other kinds of electric toothbrushes and pencil sharpeners and so forth. But it is going to take a massive education process in the nation to change that. But I think that's the way to go about it, and not by saying that we will cut off economic growth and in that way solve our environmental problem or our population problem.

DR. TAYLOR:

I'm going to exercise the Chairman's perrogative to intervene at this point, and I would like to ask--there are about five minutes, if my watch is correct--I would like to ask if anyone has a question that he or she would like to direct to Dale Goodner or Sandy Roth, and then if there are no questions there, I'll take one more question and then I shall ask both of them, or either of them directly, if they wish to make any comment.

GAIL GUMNESS:

I came here to learn, and I want to thank you all because I definitely have learned a lot in the last two days. I see, in my short-term learning, that the biggest problem is educating everyone. Now, the death film. Wow! I would like my children to see something like that. I want my kids to know about contraception; I want my kids to know about sex; I want them to be in a peer-group situation when they are learning this; I want to reinforce it when they come home. In my dealing with children--I also teach part-time CCD, which is a dirty word to a lot of people--I find that my biggest problem is reaching the parents. Convincing them that they have got to know what I am talking about. I'm just talking about a sense of religion now. I would very much like to see a symposium on just how to combat the reality of the apathy and indifference of so many of our parents, and I'm really concerned about this. Do you have comments on this?

DR. TAYLOR:

I certainly might have a comment. And maybe it is to the effect that the old military system of triage might be used--write off the parents as being too old to learn. (I'm one of them.) Too old--let me qualify that--too old to learn the ways that their children are thinking.

DR. FALK:

(Expressed disagreement.)

DR. PION:

I object because a lot of parents are eager to learn. Where do you start. Somewhere! Start by getting all your station managers together with a lot of concerned parents; there are really concerned parents. Most parents like their kids. Talk about the problems with your station managers and with some people who live in Green Bay who like writing scripts, and who like photographing, and students taking photography in the college; begin to think of a program for parents as a public service of your TV and radio stations; and do it. It might turn out to be lousy the first time--so what. You'll make it better.

DR. TAYLOR:

I guess I stand corrected.

DR. FALK:

I would like to make a comment about this movie, "The Day Grandpa Died." (King Screen Productions.) It certainly was a beautiful movie, and I have never seen it reviewed anywhere. It certainly should have been reviewed in the gerontological literature. Now, there is a book for children about death that came out and got a rave review in The Journal of Gerontology. It is talking about death by Earl A. Grollman (Boston: Beacon Press, 1970) and it is concerned with explaining the meaning of grandfather's death.

DR. TAYLOR:

Dale, do you have any comments that you would like to make, or Sandy.

DALE GOODNER:

Well, I would just like to say that I hope these laws become liberalized, about contraception and everything else. Thomas Jefferson was very proud of his idea of religious freedom and I'm just afraid that people are just killing others with kindness and inhibiting their own religion. Two examples of this are the contraception law and the second one concerns the Native Americans. They are inhibited from practicing the sun dance, which I'm not sure was a good idea. You shouldn't let your own values inhibit other people, that's all there is to it. I don't think there is any use in telling somebody that their religion is wrong.

DR. TAYLOR:

This will conclude the panel discussion.

Closing Remarks

Dr. N. B. G. Taylor
Professor and Chairman of Population Dynamics
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I have made some observations during today's program and in yesterday's. First, I think, is an obvious expression of, not the generation gap, but the generation change. To have young people speak on a program such as this, on a subject such as this, would have been inconceivable when I was their age. And I think that is a tremendous jump forward. Sometime during Sandy Roth's presentation, it crossed through my mind--I hope it wasn't said at this conference, I'm getting at the age where I can remember things but not where I heard them--that the difference between this generation and the last on the subject of sexuality is expressed very simply--my generation says *why*, the present generation says *why not*. I also was reminded by Gail Gumness that there is again this year an apparent omission in the program: an absence of the people I would call the "unfriendly others." Let me assure you that this was drawn to our attention in previous years, in no uncertain way last year, and reaffirmed this year by the Vice Chancellor. Every "unfriendly other" we could think of in Green Bay was invited personally to be present, so that we could hear the other side of the matter on which most of us here agree. We are as concerned as anyone about the undesirability of having a group of people sitting around and telling one another what they all already believe. There *are* others in this city, as I found out last night; to my embarrassment, I had to attend an Extension group--I committed myself in my own inimitably stupid way to do two things at the same time. I was talking about population problems and I casually mentioned in passing (little more than that) that the big problem, the first step to the solution, was to abolish unwanted pregnancy. And that to do this, a comprehensive program of getting contraceptive services to people was needed, and this should be backed up by abortion for contraceptive failure. Well, that did it, and for the next hour I was on the griddle. I don't think it is unfair to say that the reception by two people in particular was quite hostile; they were both males in their 30's, I would estimate. It was a group of a dozen people, who ranged in age from the thirties to 65 and 70, but the hostility was quite evident. Although I have not yet been called a murderer as Dr. Pion, Ron, has. They came--it was face to face--they came the next thing to it. And this was from a casual, as I said, passing, reference to the need for backup to contraceptive failure.

One other brief comment: it strikes me that the pace of change these days, even though things may seem incredibly slow, even though we are agonized over the legislature not passing a bill on contraception, the rate of change of pace is very rapid. One of the questions I wanted to ask Ms. Wechsler yesterday was: "From the legal point of view, is this a representative change of pace, historically, or is it greater or less than has occurred on occasions in the past?"

I wish to thank all of the speakers who have contributed to the program, especially those who are here, but not ignoring those yesterday. And the Chairmen of the other sessions. Last and certainly not least, the staff who have supported this with work after hours and otherwise, "beyond the call of duty," to make possible the almost infinite number of letters and details and arrangements that have been made. At very last I wish to acknowledge the contribution of someone who has kept himself in the background, but without whose superb organizing ability this symposium would never have taken place, Dr. Alex Doberenz. And, that concludes the program.

CONTRIBUTORS

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NOTES ON THE SPEAKERS

Dr. Jacqueline M. Falk received the M.A. degree from Radcliffe College and the M.A. and Ph.D. degrees from the University of Chicago. She served as an assistant professor on the Committee on Human Development at the University of Chicago before joining UWGB in the Growth and Development Concentration. Dr. Falk is a member of the Gerontological Society, American Psychological Association, and Phi Beta Kappa. She is the author of several professional publications on human development.

Rev. Lloyd Lewis received his B.A. degree in East Asian Studies from the American University and his S.T.B. from the Divinity School at Harvard University. Rev. Lewis has served as Hospital Chaplain at Massachusetts General Hospital and Lecturer in East Asian History at Endicott Junior College. Rev. Lewis is a member of the Board of Directors of the People's Drug Abuse Center and occasionally lectures in Population Dynamics classes at UWGB. He is an advisor to the Wisconsin Annual Conference Department of Youth Ministry for the United Methodist Church in Wisconsin and the Northeast District Youth Ministry Council of the United Methodist Church.

Dr. Ronald J. Pion holds the M.D. degree from New York Medical College with post-graduate study and specialization in obstetrics and gynecology at UCLA and at the Karolina Syukhuset Hormon Laboratoriet in Stockholm, Sweden. Dr. Pion is a member of numerous scientific societies in the areas of obstetrics and gynecology and public health. He is active in a number of community organizations concerned with family planning and sex education, and is a consultant in obstetrics and gynecology at Tripler General Hospital (Hawaii). He is author or co-author of more than 35 scientific publications and has been a consultant and participant in several radio, television and film productions. Dr. Pion presented a paper at our first Population Growth Symposium on "Pregnancy Detection and Community Outreach."

Dr. Ira L. Reiss received his Ph.D. degree in Sociology from the Pennsylvania State University. He is currently Professor of Sociology and Director of the Family Study Center at the University of Minnesota. Dr. Reiss is an active member of a number of scientific societies and is currently serving as President of the Midwest Sociological Society and a council member of the Family Section of the American Sociological Association. He has been the recipient of a number of awards including a citation from the Sex Information and Education Council of the United States and the Educational Foundation for Human Sexuality Award. He is the author of numerous books and articles on human sexuality and the family system. Dr. Reiss is an associate editor of the Journal of Sex Research and Archives of Sexual Behavior.

Mr. Stephen L. Salyer is a senior in the Honors College of Davidson College. He is currently active as a Visiting Professor and Consultant to Hampshire College, President and Trustee to Ohio Leadership Dynamics Institute, Consultant to the Carolina Population Center, Special Lecturer for the Washington Workshops Foundation, and member of the President's National Commission on Population Growth and the American Future. Mr. Salyer's honors and associations include Dana Scholar, Who's Who In American Colleges and Universities, recipient of the George Gladstone Award for Community Service, Board member of the Charlotte Chapter of the American Civil Liberties Union, and Human Relations Award from the Cincinnati Chapter of the American Jewish Committee.

Rev. Mark J. Schommer holds the B.A. in philosophy from St. Francis Seminary and was ordained in 1963. He received his M.S. and Ed.D. from Marquette University. Rev. Schommer is currently Superintendent of Education in the Diocese of Green Bay. He is a member of the State Educational Communications Board, Governor's Technical Subcommittee for Driver Education, Wisconsin Environmental Education Committee, Brown County's Steering Committee of the Community Council on Drug Abuse and the Education Committee of the Wisconsin Catholic Conference. Rev. Schommer is currently Chairman of the State Advisory Council on Equal Educational Opportunity.

Mr. John D. Shier received his undergraduate degree from St. Olaf College and expects to complete a Ph.D. degree in Philosophy from the University of Wisconsin-Madison this year. Besides teaching at the University of Wisconsin-Green Bay, he teaches in non-credit continuing education classes arranged by University Extension in Green Bay and nearby communities. He has appeared as a speaker before numerous church and civic groups in the Green Bay area. Mr. Shier is particularly active with the Theater of Concern which presents dramatic performances throughout northeastern Wisconsin.

Senator Joseph D. Tydings received his LL.B. from the University of Maryland and honorary Doctor of Laws degrees from C. W. Post College and Parsons College. He was a United States Senator for six years and served on Judiciary, Commerce, District of Columbia (Chairman), Public Works, and Aeronautical and Space Sciences Committees. The Senator's public service record includes United States Attorney for Maryland, Maryland House of Delegates, Board of Visitors of the United States Naval Academy, Advisory Council of the Robert A. Taft Institute of Government and President's Commission on Population Growth and the American Future. He is a member of the Maryland Bar Association, past president of the Junior Bar Association of Baltimore City, served as Vice President of the American Judicature Society, and former City Attorney of Aberdeen, Maryland. Among his many awards, he has received The Margaret Sanger Award for Distinguished Public Service, National Brotherhood Citation, American Criminology Society's August Vollmer Award, The Menorah Award B'nai B'rith, and the Outstanding Young Man of the Year Award from the Baltimore Junior Association of Commerce. Senator Tydings is currently a Senior Partner in the Law Firm of Danzansky, Dickey, Tydings, Quint and Gordon, Washington, D. C.

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Mrs. Nancy F. Wechsler received the A.B. degree from Barnard College and the LL.B. from Columbia Law School. She has been associated with several Government agencies such as the Board of Economic Welfare, Office of Price Administration, Office of Economic Stabilization, Office of War Mobilization and Reconversion and Labor Department. Mrs. Wechsler is counsel for the President's Committee on Civil Rights and a member of the Board of Directors of the New York Civil Liberties Union. She has authored or co-authored several articles on the law of literary property and the law relating to birth control.

Sandra Roth and Don Kovacic are both freshmen at the University of Wisconsin-Green Bay. Sandy graduated from Horton Watkins High School in St. Louis, Missouri; and she is thinking of majoring in Population Dynamics. Don graduated from Nicolet High School in Milwaukee, Wisconsin; and he is a pre-med major. The paper presented was the result of an independent study project conducted during the January Interim period.

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ABOUT THE UNIVERSITY OF WISCONSIN-GREEN BAY

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